

FI  
235  
21

Scott Livingston



1996

# Illinois Register

---

## Rules of Governmental Agencies

Volume 20, Issue 52 — December 27, 1996

Pages 16016 - 16266

---

Index Department  
Administrative Code Div.  
111 East Monroe Street  
Springfield, IL 62756  
(217) 782-7017  
<http://www.sos.state.il.us>

published by  
**George H. Ryan**  
Secretary of State



Printed on recycled paper

TABLE OF CONTENTS  
December 27, 1996      Volume 20, Issue 52

**PROPOSED RULES**

<b>MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, DEPARTMENT OF</b>	
Minimum Standards For Certification Of Developmental Training Programs	16016
59 Ill. Adm. Code 119 .....	16016
Minimum Standards For Licensure Of Community Residential Alternatives	16025
59 Ill. Adm. Code 113 .....	16025
Recipient Rights	
59 Ill. Adm. Code 111 .....	16034
Standards And Licensure Requirements For Community-Integrated Living	
Arrangements	
59 Ill. Adm. Code 115 .....	16045
<b>NATURAL RESOURCES, DEPARTMENT OF</b>	
Commercial Fishing And Musseling In Certain Waters Of The State	
17 Ill. Adm. Code 830 .....	16055
Sport Fishing Regulations For The Waters Of Illinois	
17 Ill. Adm. Code 810 .....	16064
<b>POLLUTION CONTROL BOARD</b>	
New Activities In A Setback Zone Or Regulated Recharge Area	
35 Ill. Adm. Code 616 .....	16132
<b>PUBLIC AID, DEPARTMENT OF</b>	
Medical Assistance Programs	
89 Ill. Adm. Code 120 .....	16143
Medical Payment	
89 Ill. Adm. Code 140 .....	16153

**ADOPTED RULES**

<b>AGRICULTURE, DEPARTMENT OF</b>	
Animal Diagnostic Laboratory Act	
8 Ill. Adm. Code 110 .....	16176
Bovine Brucellosis	
8 Ill. Adm. Code 75 .....	16181
Equine Infectious Anemia Control	
8 Ill. Adm. Code 116 .....	16188
Livestock Auction Markets	
8 Ill. Adm. Code 40 .....	16192
Livestock Dealer Licensing	
68 Ill. Adm. Code 610 .....	16197
<b>REVENUE, DEPARTMENT OF</b>	
Retailers' Occupation Tax	
86 Ill. Adm. Code 130 .....	16200

Service Occupation Tax	
86 Ill. Adm. Code 140 .....	16211
Service Use Tax	
86 Ill. Adm. Code 160 .....	16219
Use Tax	
86 Ill. Adm. Code 150 .....	16224

**AGENCY NOTICES OF MODIFICATION, WITHDRAWAL OR REFUSAL  
TO PROPOSED RULES**

NATURAL RESOURCES, DEPARTMENT OF	
Bonding And Insurance Requirements For Surface Coal Mining And Reclamation Operations	
62 Ill. Adm. Code 1800, Modification .....	16232

**NOTICE OF PUBLIC INFORMATION**

REVENUE, DEPARTMENT OF	
Uniform Penalty And Interest Act .....	16233

**NOTICE OF PUBLICATION ERROR**

HEALTH FACILITIES PLANNING BOARD	
Narrative And Planning Policies	
77 Ill. Adm. Code 1100 .....	16234
HEALTH FACILITIES PLANNING BOARD	
Processing, Classification Policies And Review Criteria	
77 Ill. Adm. Code 1110 .....	16235

**JOINT COMMITTEE ON ADMINISTRATIVE RULES**

Second Notices Received .....	16236
-------------------------------	-------

**EXECUTIVE ORDERS AND PROCLAMATIONS**

**PROCLAMATIONS**

96-623	General Election Canvass-Ascertainment of Presidential Electors .....	16238
96-624	1996 General Election Canvass-Presidential Electors .....	16242
96-625	1996 General Election Canvass-U.S. Senator .....	16242
96-626	1996 General Election Canvass-U.S. Congress -State Senators-Representatives In The G.A. ....	16243
96-627	1996 General Election Canvass-Judges .....	16254

96-628	1996 General Election Canvass-Judges Retained In Office .....	16263
96-629	1996 General Election Canvass- Trustees Of The Prairie DuPont Levee And Sanitary District .....	16266

**Editor's Note:** The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

April 19, 1996 - Issue 16: Through	March 31, 1996
July 19, 1996 - Issue 29: Through	June 30, 1996
October 18, 1996 - Issue 42: Through	September 30, 1996
January 17, 1997 - Issue 3: Through	December 31, 1996 (Annual)

## REGISTER PUBLICATION SCHEDULE 1996

Material Rec'd after 12:00 p.m. on:	And before 12:00 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 12:00 p.m. on:	And before 12:00 p.m. on:	Will be in Issue #:	Published on:
Dec. 19, 1995	Dec. 26, 1995	1	Jan. 5, 1996	June 25, 1996	July 2, 1996	28	July 12, 1996
Dec. 26, 1995	Jan. 2, 1996	2	Jan. 12, 1996	July 2, 1996	July 9, 1996	29	July 19, 1996
Jan. 2, 1996	Jan. 9, 1996	3	Jan. 19, 1996	July 9, 1996	July 16, 1996	30	July 26, 1996
Jan. 9, 1996	Jan. 16, 1996	4	Jan. 26, 1996	July 16, 1996	July 23, 1996	31	Aug. 2, 1996
Jan. 16, 1996	Jan. 23, 1996	5	Feb. 2, 1996	July 23, 1996	July 30, 1996	32	Aug. 9, 1996
Jan. 23, 1996	Jan. 30, 1996	6	Feb. 9, 1996	July 30, 1996	Aug. 6, 1996	33	Aug. 16, 1996
Jan. 30, 1996	Feb. 6, 1996	7	Feb. 16, 1996	Aug. 6, 1996	Aug. 13, 1996	34	Aug. 23, 1996
Feb. 6, 1996	Feb. 13, 1996	8	Feb. 23, 1996	Aug. 13, 1996	Aug. 20, 1996	35	Aug. 30, 1996
Feb. 13, 1996	Feb. 20, 1996	9	Mar. 1, 1996	Aug. 20, 1996	Aug. 27, 1996	36	Sept. 6, 1996
Feb. 20, 1996	Feb. 27, 1996	10	Mar. 8, 1996	Aug. 27, 1996	Sept. 3, 1996	37	Sept. 13, 1996
Feb. 27, 1996	Mar. 5, 1996	11	Mar. 15, 1996	Sept. 3, 1996	Sept. 10, 1996	38	Sept. 20, 1996
Mar. 5, 1996	Mar. 12, 1996	12	Mar. 22, 1996	Sept. 10, 1996	Sept. 17, 1996	39	Sept. 27, 1996
Mar. 12, 1996	Mar. 19, 1996	13	Mar. 29, 1996	Sept. 17, 1996	Sept. 24, 1996	40	Oct. 4, 1996
Mar. 19, 1996	Mar. 26, 1996	14	Apr. 5, 1996	Sept. 24, 1996	Oct. 1, 1996	41	Oct. 11, 1996
Mar. 26, 1996	Apr. 2, 1996	15	Apr. 12, 1996	Oct. 1, 1996	Oct. 8, 1996	42	Oct. 18, 1996
Apr. 2, 1996	Apr. 9, 1996	16	Apr. 19, 1996	Oct. 8, 1996	Oct. 15, 1996	43	Oct. 25, 1996
Apr. 9, 1996	Apr. 16, 1996	17	Apr. 26, 1996	Oct. 15, 1996	Oct. 22, 1996	44	Nov. 1, 1996
Apr. 16, 1996	Apr. 23, 1996	18	May 3, 1996	Oct. 22, 1996	Oct. 29, 1996	45	Nov. 8, 1996
Apr. 23, 1996	Apr. 30, 1996	19	May 10, 1996	Oct. 29, 1996	Nov. 4, 1996 (Mon.)	46	Nov. 15, 1995
Apr. 30, 1996	May 7, 1996	20	May 17, 1996	Nov. 4, 1996	Nov. 12, 1996	47	Nov. 22, 1996
May 7, 1996	May 14, 1996	21	May 24, 1996	Nov. 12, 1996	Nov. 19, 1996	48	Dec. 2, 1996 (Mon.)
May 14, 1996	May 21, 1996	22	May 31, 1996	Nov. 19, 1996	Nov. 26, 1996	49	Dec. 6, 1996
May 21, 1996	May 28, 1996	23	June 7, 1996	Nov. 26, 1996	Dec. 3, 1996	50	Dec. 13, 1996
May 28, 1996	June 4, 1996	24	June 14, 1996	Dec. 3, 1996	Dec. 10, 1996	51	Dec. 20, 1996
June 4, 1996	June 11, 1996	25	June 21, 1996	Dec. 10, 1996	Dec. 17, 1996	52	Dec. 27, 1996
June 11, 1996	June 18, 1996	26	June 28, 1996	Dec. 17, 1996	Dec. 23, 1996 (Mon.)	1	Jan. 3, 1997
June 18, 1996	June 25, 1996	27	July 5, 1996	Dec. 23, 1996	Dec. 31, 1996	2	Jan. 10, 1997

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

Printed by authority of the State of Illinois  
December 1996 - 710 - GA-602

DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Minimum Standards for Certification of Developmental Training Programs

2) Code Citation: 59 Ill. Adm. Code 119

Proposed Action:  
New Section

119.261

4) Statutory Authority: Implementing Section 15.2 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/15.2] and the Health Care Worker Background Check Act [225 ILCS 46] and authorized by Section 15.2 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1705/15.2].

5) A Complete Description of the Subjects and Issues Involved: Section 119.261 is being added to implement the waiver provisions of the Health Care Worker Background Check Act [225 ILCS 46]. After January 1, 1997, community agencies are prohibited from knowingly employing or retaining in full-time, part-time or contractual direct care positions any persons who have been convicted of committing or attempting to commit one or more of the offenses listed in Section 25 of the Health Care Worker Background Check Act [225 ILCS 46/25] unless the employee or applicant has obtained a waiver. This rulemaking identifies the various types of background checks which must be made and the conditions under which they are to be made. Provisions for conditional employment, termination of employment, waiver eligibility, and the employee's or applicant's right to appeal the waiver decision are included.

6) Will this proposed amendment replace an emergency rule currently in effect? No, this proposed amendment will not replace an emergency rule currently in effect.

7) Does this rulemaking contain an automatic re-enact date? No

8) Does this proposed amendment contain incorporation by reference? This rulemaking does not incorporate by reference any federal statutes or regulations or rules of another State agency.

9) Are there any other proposed amendments pending on this Part? Yes. 20  
T11, Reg. 13492 (October 18, 1996).

10) Statement of Statewide Policy Objectives: This rulemaking does not impact the State Mandates Act [30 ILCS 805].

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested person may submit comments, data, views or argument regarding this proposed rulemaking before the expiration

DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT(S)

of the first 45-day notice period. Submissions must be in writing and directed to:

Judith Hollenberg  
Policy Administrator  
Illinois Department of Mental Health  
and Developmental Disabilities,  
401 Stratton Building  
Springfield IL 62765  
Telephone (217)785-3313  
FAX (217)524-8920

## 12) Initial Regulatory Flexibility Analysis:

- A) Types of small business affected: Private and not-for-profit agencies which operate developmental training programs certified by the Department.  
B) Reprinting, bookkeeping, or other procedures required for compliance: None.  
C) Types of professional skills necessary for compliance: No special skills needed.

13) Regulatory Agenda on which this rulemaking was summarized: July 1996  
The full text of the Proposed Amendment(s) begins on the next page.

DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT(S)

TITLE 59: MENTAL HEALTH  
CHAPTER 1: DEPARTMENT OF MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES

PART 119  
MINIMUM STANDARDS FOR CERTIFICATION OF DEVELOPMENTAL TRAINING PROGRAMS

## SUBPART A: GENERAL PROVISIONS

Section	Applicability
119.100	Incorporation by reference
119.120	Definitions

## SUBPART B: PROGRAM REQUIREMENTS

Section	General requirements
119.200	Criteria for participation of individuals
119.205	Exclusion, suspension or discharge of an individual
119.210	Program staff
119.215	In interdisciplinary team (team)
119.220	Assessment of individuals
119.225	Individual services plan (plan)
119.230	Individual rights and confidentiality
119.235	Special training procedures
119.240	Committees
119.245	Medications and medical care
119.250	Environmental management
119.260	Administrative requirements
119.261	Application for waiver of the prohibition against employment

## SUBPART C: CERTIFICATION REQUIREMENTS

Section	Issuing a certificate and period of certification
119.300	Application for certification
119.305	Application acceptance and verification
119.310	Non-transferability of a certificate
119.315	Cessation of operations
119.320	Certificate denial
119.325	Hearings
119.330	

AUTHORITY: Implementing Section 15.2 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1070/15.2] and authorized by Section 15.2 of the Background Check Act [225 ILCS 46] and authorized by Section 15.2 of the Department of Mental Health and Disabilities Act [20 ILCS 1070/15.2].

## ILLINOIS REGISTER

DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT(S)

SOURCE: Adopted at 14 Ill. Reg. 17227, effective October 9, 1990; emergency amendment at 16 Ill. Reg. 2612, effective February 1, 1992, for a maximum of 150 days; emergency expired June 30, 1992; amended at 21 Ill. Reg. 150, effective \_\_\_\_\_.

## SUBPART B: PROGRAM REQUIREMENTS

Section	Application for waiver of the prohibition against employment
a. Hiring of direct care personnel	
A provider shall not knowingly hire or retain any person after January 1, 1997 in a full-time, part-time, or contractual direct care position if that person has been convicted of committing or attempting to commit one or more of the following offenses unless the applicant or employee obtains a waiver pursuant to subsections (1) through (11) of this Section (Section 25 of the Health Care Worker Background Check Act [225 ILCS 46/25]):	
1. Murder, homicide, manslaughter, or concealment of a homicidal death (Sections 9-1 through 9-3.3 of the Criminal Code of 1961 [720 ILCS 5/9-1 through 9-3.3]).	
2. Kidnapping or child abduction (Sections 10-1, 10-2, 10-5, and 10-7 of the Criminal Code of 1961 [720 ILCS 5/10-1, 10-2, 10-5, and 10-7]).	
3. Unlawful restraint or forcible detention (Sections 10-3, 10-3.1, and 10-4 of the Criminal Code of 1961 [720 ILCS 5/10-3, 10-3.1, and 10-4]).	
4. Assault, battery or infliction of great bodily harm (Sections 12-1, 12-2, 12-3, 12-3.1, 12-2.1, 12-4, 12-4.2, 12-4.3, 12-6, and 12-7 of the Criminal Code of 1961 [720 ILCS 5/12-1, 12-2, 12-3, 12-3.1, 12-2.1, 12-4, 12-4.2, 12-4.3, 12-4.4, 12-6, and 12-7]).	
5. Sexual assault or abuse (Sections 12-13, 12-14, 12-15, and 12-16 of the Criminal Code of 1961 [720 ILCS 5/12-13, 12-14, 12-15, and 12-16]).	
6. Predator, criminal sexual assault of a child (Section 12-14.1 of the Criminal Code of 1961 [720 ILCS 5/12-14.1]).	
7. Abuse or neglect of a long-term care facility resident (Section 12-5 of the Criminal Code of 1961 [720 ILCS 5/12-5]).	
8. Criminal neglect of an elderly or disabled person (Section 12-5).	
9. Theft, criminal expropriation of an elderly or disabled person, robbery or burglary (Sections 16-1, 16-1.1, 16-3, 16A-1, 18-1, 18-1, and 19-1 of the Criminal Code of 1961 [720 ILCS 5/16-1, 16-1.1, 16-3, 16A-1, 18-1, 18-1, 19-1, and 19-1]).	
10. Criminal trespass (Section 19-4 of the Criminal Code of 1961 [720 ILCS 5/19-4]).	
11. Arson (Sections 20-1 and 20-1.1 of the Criminal Code of 1961 [720	

DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT(S)

- ILCS 5/20-1 and 20-111:  
 1) Unlawful use of weapons or aggravated discharge of a firearm [Sections 24-1 and 24-1.2 of the Criminal Code of 1961] ILCS 5/24-1 and 24-1.2].  
 2) Manufacture, delivery or trafficking of cannabis [Sections 5, 5.1 and 9 of the Cannabis Control Act] ILCS 550/5, 5.1 and 9.11 and  
 3) Manufacture, delivery or trafficking of controlled substances [Sections 401, 401.1, 404, 405, 405.1, 407 and 407.1 of the Illinois Controlled Substances Act] ILCS 510/401, 401.1, 404, 405, 405.1, 407 and 407.11].

## b) Definitions

"Applicant" A person seeking employment with a provider who has received a bona fide conditional offer of employment. Section 15 of the Health Care Worker Background Check Act [225 ILCS 46/15].

"Conditional offer of employment." A bona fide offer of employment by a provider to an applicant which is contingent on the receipt of a report from the Department of State Police indicating that the applicant does not have a record of conviction of any of the criminal offenses enumerated in subsection (a)(1) through (14) of this section. [Section 15 of the Health Care Worker Background Check Act [225 ILCS 46/15]]

"Direct care." The provision of nursing assistance with meals, dressing, movement, bathing, or other personal needs of maintenance, or general supervision and oversight of the physical and mental well-being of an individual who is incapable of maintaining a private, independent residence or who is incapable of managing his or her person whether or not a guardian has been appointed for that individual. [Section 15 of the Health Care Worker Background Check Act [225 ILCS 46/15].]

"Initiate" The obtaining of the authorization for a record check from a student, applicant or employee. The provider shall transmit all necessary information and fees to the Authorization, Section 10 working days after receipt of the Authorization [Section 15 of the Health Care Worker Background Check Act [225 ILCS 46/15]].

"Nurse Aide Registry." The registry of nurse aides kept by the Department of Public Health pursuant to Section 3-206.01 of the Nursing Home Care Act [210 ILCS 45/3-206.01].

DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT(S)

- "UCIA" The Uniform Conviction Information Act [20 ILCS 20/35].
- 2) Nurse Aide Registry For all applicants for nurse aide positions, the provider shall check the Nurse Aide Registry to determine the date of the applicant's last UCIA criminal history record check. If it has been more than one year since the records check, the provider must initiate or have initiated on its behalf a UCIA criminal history record check. [Section 20(b) of the Health Care Worker Background Check Act [225 ILCS 46/30(c)].]
- d) Conditional offers Effective January 1, 1996, if the provider makes a conditional offer of employment to an applicant other than a nurse aide who is not exempt under subsection (m) of this section for a direct care position, the provider shall initiate or have initiated on its behalf a UCIA criminal history record check. [Section 30(c) of the Health Care Worker Background Check Act [225 ILCS 46/30(c)].]
- e) Initiation of UCIA criminal history record check By January 1, 1997 the provider must initiate a UCIA criminal history record check for all direct care employees who were hired before January 1, 1996, who have not already had a UCIA criminal history record check and who are not exempt in accordance with subsection (m) of this section. [Section 30 of the Health Care Worker Background Check Act [225 ILCS 46/30(c)].]
- f) Requests for UCIA criminal history record check The provider shall request the UCIA criminal history record check in accordance with the requirements of the Department of State Police [See Ill. Admin. Code 165-1. The provider shall notify the applicant or employee of the following whenever a non-fingerprinting UCIA Criminal History Record search is made. Section 30 of the Health Care Worker Background Check Act [225 ILCS 46/30(c)].]
- 1) That the provider shall request or have requested on its behalf a UCIA criminal history record check pursuant to the Health Care Worker Background Check Act.
- 2) That the applicant or employee has a right to obtain a copy of the criminal records report, challenge the accuracy and completeness of the report and request a waiver in accordance with subsection (l)(1) of this section:
- 3) That the applicant, if hired conditionally, may be terminated if the criminal records report indicates that the applicant has a record of conviction of any of the criminal offenses enumerated in subsections (a)(1) through (14) of this section unless the applicant's identity is validated and it is determined that the applicant or employee does not have a disqualifying criminal history record based on a fingerprinted records check pursuant to subsection (b) of this section or the employee pursues a waiver pursuant to subsection (l)(1) of this section;
- 4) That the applicant or employee cannot work in a direct care

## NOTICE OF PROPOSED AMENDMENT(S)

Position while a waiver request is pending.

51. That the applicant or employee's current employment, shall not be hired if the criminal records report indicates that the applicant has a record of conviction of any of the criminal offenses enumerated in subsections (a)(1) through (14) of this Section unless the applicant's record is cleared based on a fingerprint-based records check pursuant to subsection (h) of this Section.

61. That the employee may be terminated if the criminal records report indicates that the employee has a record of conviction of any of the criminal offenses enumerated in subsections (a)(1) through (14) of this Section unless the record is cleared based on a fingerprint-based records check pursuant to subsection (h) of this Section.

62. Conditional employment may conditionally employ an applicant to provide direct care for up to three months pending the results of a UICIA criminal history record check. Section 30/11 of the Health Care Worker Background Check Act (225 ILCS 16/2011).

63. Results of a fingerprint-based UICIA criminal records check.

The provider may conditionally employ an employee or nurse aide whose UICIA record check indicates a conviction for committing an offense that would commit one or more of the offenses enumerated in subsections (a)(1) through (14) of this Section may request that the provider commence a fingerprint-based UICIA criminal records check by submitting information in a form and manner prescribed by the Department of State Police (see 20 Ill. Adm. Code 1261) within 30 days after receipt of the criminal records report to validate identity and clear one's record. (Section 35 of the Health Care Worker Background Check Act [225 ILCS 46/35])

11. An applicant, employee, or nurse aide may request a waiver of the prohibition against employment. (Section 40 of the Health Care Worker Background Check Act [225 ILCS 46/10])
  11. The Department may grant a waiver based on any mitigating circumstances which may include but not be limited to section 40(b) of the Health Care Worker Background Check Act [225 ILCS 46/40(b)].
  11. The applicant's employee's or nurse aide's age at the time that the crime was committed.
  11. The length of time since the conviction.
  11. The applicant or employee's criminal history since the conviction.
  11. The applicant or employee's work history.

## NOTICE OF PROPOSED AMENDMENT(S)

E1. The applicant or employee's current employment references.

C1. The applicant or employee's character references.

E1. Nurse Aide Registry records; and

11. Other evidence demonstrating the ability of the applicant or employee to perform the employment responsibilities competently and evidence that the applicant or employee does not pose a threat to the health or safety of residents, recipients of clients.

11. Application for waiver.

11. If the applicant, employee or nurse aide wishes to renew a waiver, the request shall be submitted within 5 calendar days after receipt of the criminal records report. A complete waiver request shall include the following:

A1. A statement specifying any mitigating circumstances the person believes are relevant to the employment in question; and

- B1. Either:
  11. Information necessary for the Department to obtain a fingerprint-based UICIA criminal records check, including a suitable set of fingerprints, in a form and manner prescribed by the Department of State Police (see 20 Ill. Adm. Code 1261), the fee for such a check, which shall not exceed the actual cost of the check, and the findings of the required non-fingerprint-based UICIA criminal records check conducted by the Department of State Police; or
  11. The report of the results of the fingerprint-based UICIA criminal records check done pursuant to subsection (h) of this Section.
21. Provider staff may assist the applicant, employee or nurse aide in compiling the application.
31. The waiver request shall be submitted to:  
Office of Accreditation and License  
Department of Mental Health and Developmental Disabilities  
305 Stratton Building  
Springfield IL 62765
11. Waiver decision.
11. The waiver request shall be reviewed by a panel of Department staff. The Department shall return a decision to the applicant, employee or nurse aide and the provider within 30 calendar days after receipt of the completed waiver request including receipt of a report from the State Police based on the fingerprint-based record check.
21. The provider is not obligated to hire or offer permanent employment to an applicant or to retain an employee who is granted a waiver. (Section 40(f) of the Health Care Worker Background Check Act [225 ILCS 46/40(f)])

**DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES**

**NOTICE OF PROPOSED AMENDMENT(S)**

- 3) The Department shall be immune from liability for any waivers granted. [Section 40(e) of the Health Care Worker Background Check Act (225 ILCS 46/40(e))]
- 1) Appeal of the decision
  - 1) The applicant, employee or nurse aide may request further review of his or her request for a waiver within 30 calendar days after the receipt of the Department's denial of the waiver.
  - 2) The applicant, employee or nurse aide may submit additional documentation of the mitigating circumstances.
  - 3) The appeal shall be submitted to:
 

Office of the Director  
Department of Mental Health and Developmental Disabilities  
401 Stratton Building  
Springfield IL 62776
  - 4) The Director shall act on the appeal within 30 calendar days after receipt of the appeal and shall issue a final decision granting or denying the waiver requested.
  - 5) This section shall not apply to:
    - 1) An individual who is licensed by the Department of Professional Regulation or the licensed by the Department of Public Health under another law.
    - 2) An individual employed or retained by the provider as defined by Section 15 of the Health Care Worker Background Check Act (225 ILCS 46/15) for whom a criminal background check is required by another law of this state. [Section 20 of the Health Care Worker Background Check Act (225 ILCS 46/20)]
    - 3) The provider shall send a copy of the results of the UICRA criminal history record check to the State Nurse Aide Registry for an individual employed as a nurse aide within 10 working days after receipt of the results. [Section 30(b) of the Health Care Worker Background Check Act (225 ILCS 46/20(b))]
    - 4) The provider shall retain on file for a period of five years records of criminal records requests for all employees. The files shall be subject to inspection by the Department's Office of Accreditation and Licensure. The provider shall retain the results of the UICRA criminal history records check and waiver, if appropriate, for the duration of the individual's employment. A fine of \$500 may be imposed for failure to maintain these records. [Section 50 of the Health Care Worker Background Check Act (225 ILCS 46/50)]

(Source: Added at \_\_\_\_\_, Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES**

**NOTICE OF PROPOSED AMENDMENT(S)**

- 1) Heading of the Part: Minimum Standards for licensure of Community Residential Alternatives
- 2) Code Citation: 59 Ill. Adm. Code 113
- 3) Section Number: 113.51  
New Section  
Proposed Action:
- 4) Statutory Authority: Implementing the Health Care Worker Background Check Act (225 ILCS 46) and the Community Residential Alternatives Licensing Act (210 ILCS 141) and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code (405 ILCS 5/5-104). Section 5 of the Department of Mental Health and Developmental Disabilities Act (210 ILCS 1705/5) and Section 5 of the Community Residential Alternatives Licensing Act (210 ILCS 140/5).
- 5) A. Consolidaed Description of the Subjects and Issues Involved: Section 113.51 is being added to implement the waiver provision of the Health Care Worker Background Check Act (225 ILCS 46). After January 1, 1997, community agencies are prohibited from knowingly employing or retaining in full-time, part-time or contractual direct care positions any persons who have been convicted of committing or attempting to commit one or more of the offenses listed in Section 25 of the Health Care Worker Background Check Act (225 ILCS 46/25) unless the employee or applicant has obtained a waiver. This rulemaking identifies the various types of background checks which must be made and the conditions under which they are to be made. Provisions for conditional employment, termination of employment, waiver eligibility, and the employee's or applicant's right to appeal the waiver decision are included.
- 6) Will this proposed amendment replace an emergency rule currently in effect? No, this proposed amendment will not replace an emergency rule currently in effect.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed amendment contain incorporation by reference? This rulemaking does not incorporate by reference any federal statutes or regulations or rules of another state agency.
- 9) Are there any other proposed amendments pending on this Part? Yes. 20  
Ill. Reg. 13497 (October 18, 1996).
- 10) Statement of Statewide Policy Objectives: This rulemaking does not impact the State Mandates Act (30 ILCS 805-).
- 11) Time, Place and Manner in which interested persons may comment on this

**DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES**

**NOTICE OF PROPOSED AMENDMENT (S)**

**PROPOSED RULINGMAKING:** Any interested person may submit comments, data, views or argument regarding this proposed rulemaking before the expiration of the first 45-day notice period. Submissions must be in writing and directed to:

Judith Hollenberg  
Rules Administrator  
Illinois Department of Mental Health and Developmental Disabilities  
401 Stratton Building  
Springfield IL 62765  
Telephone 217/785-3313  
FAX (217)524-8920

**12) Initial Regulatory Flexibility Analysis:**

- A) **Types of small business affected:** Private agencies which operate community residential alternatives licensed by the Department.
- B) **Reportin<sup>g</sup>, bookkepin<sup>g</sup> or other procedures required for compliance:** None.
- C) **Types of professional skills necessary for compliance:** No special skills needed.
- 13) **Regulatory Agenda on which this rulemaking was summarized:** July 1996

The full text of the proposed amendment(s) begins on the next page.

**DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES**

**NOTICE OF PROPOSED AMENDMENT (S)**

**TITLE 59: MENTAL HEALTH  
CHAPTER I: DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES**

**PART 113**

**MINIMUM STANDARDS FOR LICENSURE OF  
COMMUNITY RESIDENTIAL ALTERNATIVES**

Section	Definitions
113.10	Incorporation by reference
113.15	Application for license
113.20	Complaint procedures
113.30	Departmental inspections
113.40	Monitoring and evaluation
113.45	Administrative policies and practices
113.50	Accreditation for waiver of the prohibition against employment
113.55	Personnel and staffing policies
113.60	Site, physical plant standards
113.70	Food and nutrition services
113.80	Admission/discharge
113.90	Resident rights
113.100	Resident records
113.120	Resident living program
113.140	Unusual occurrences

**AUTHORITY:** Implementing the Community Residential Alternatives Licensing Act [210 ILCS 140] and the Health Care Worker Background Check Act [210 ILCS 46] and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [415 ILCS 5/5-104], Section 5 of the Department of Mental Health and Developmental Disabilities Act [210 ILCS 1705/5] and Section 5 of the Community Residential Alternatives Licensing Act [210 ILCS 140/5].

**SOURCE:** Emergency rule adopted and codified at 6 Ill. Reg. 7239, effective June 8, 1992, for a maximum of 150 days; emergency expired November 5, 1992; adopted at 7 Ill. Reg. 104, effective January 19, 1993; amended at 17 Ill. Reg. 21387, effective November 29, 1993; amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 113.51 Application for waiver of the prohibition against employment**

a) **Hiring of direct care personnel**

An agency shall not knowingly hire or retain any person after January 1, 1997 in a full-time, part-time or contractual direct care position

**DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES**

**NOTICE OF PROPOSED AMENDMENT(S)**

- If that person has been convicted of committing or attempting to commit one or more of the following offenses unless the applicant or employee obtains a waiver pursuant to subsections (l) through (ll) of this section. (Section 25 of the Health Care Worker Background Check Act [225 ILCS 4/6(29)].)
- 1) Murder, homicide, manslaughter, or concealment of a homicidal death (Sections 9-1 through 9-3.3 of the Criminal Code of 1961 [225 ILCS 5/9-1 through 9-3.3].)
  - 2) Kidnapping, or child abduction (Sections 10-1, 10-2, 10-5 and 10-7 of the Criminal Code of 1961 [720 ILCS 5/10-1, 10-2, 10-5 and 10-7].)
  - 3) Unlawful restraint, or forcible confinement (Sections 10-3, 10-3.1 and 10-4 of the Criminal Code of 1961 [720 ILCS 5/10-3, 10-3.1 and 10-4].)
  - 4) Assault, battery, or infliction of great bodily harm (Sections 12-1, 12-2, 12-2-a, 12-3, 11, 12-3.2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-4.4, 12-4.5 and 12-7 of the Criminal Code of 1961 [720 ILCS 5/12-1, 12-2, 12-2-a, 12-3, 11, 12-3.2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-4.4, 12-4.5 and 12-7].)
  - 5) Sexual assault, or abuse (Sections 12-1.3, 12-1.4, 12-1.5 and 12-16 of the Criminal Code of 1961 [720 ILCS 5/12-1.3, 12-1.4, 12-1.5 and 12-16].)
  - 6) Predatory criminal sexual assault of a child (Section 12-14.1 of the Criminal Code of 1961 [720 ILCS 5/12-14.1].)
  - 7) Abuse or gross neglect of a long-term care facility resident (Section 12-19 of the Criminal Code of 1961 [720 ILCS 5/12-19].)
  - 8) Criminal neglect of an elderly or disabled person (Section 12-21 of the Criminal Code of 1961 [720 ILCS 5/12-21].)
  - 9) Theft, financial exploitation of an elderly or disabled person, robbery, or burglary (Sections 16-1, 16-1.3, 16-3, 18-1, 18-2, 19-1 and 19-3 of the Criminal Code of 1961 [720 ILCS 5/16-1, 16-1.3, 16-3, 18-1, 18-2, 19-1 and 19-3].)
  - 10) Criminal trespass (Section 19-4 of the Criminal Code of 1961 [720 ILCS 5/19-4].)
  - 11) Arson (Sections 20-1 and 20-1.1 of the Criminal Code of 1961 [720 ILCS 5/20-1 and 20-1.1].)
  - 12) Unlawful use of weapons, or aggravated discharge of a firearm (Sections 24-1 and 24-1.2 of the Criminal Code of 1961 [720 ILCS 5/24-1 and 24-1.2].)
  - 13) Manufacture, delivery or trafficking of cannabis (Sections 5, 5.1 and 9 of the Cannabis Control Act [720 ILCS 55/5, 5.1 and 9.1].)
  - 14) Manufacture, delivery, or trafficking of controlled substances (Sections 401, 401.1, 404, 405, 405.1, 407 and 407.1 of the Illinois Controlled Substances Act [720 ILCS 570/401, 401.1, 404, 405, 405.1, 407 and 407.1].)
- b) Definitions

**DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES**

**NOTICE OF PROPOSED AMENDMENT(S)**

- For the purposes of this Section, the following terms are defined:
- "Applicant." A person seeking employment with an agency who has received a bona fide conditional offer of employment. (Section 15 of the Health Care Worker Background Check Act [225 ILCS 4/6(15)].)
- "Conditional offer of employment." A bona fide offer of employment by an agency to an applicant which is contingent on the receipt of a report from the Department of State Police indicating that the applicant does not have a record of conviction of any of the criminal offenses enumerated in subsections (a)(1) through (14) of this Section. (Section 15 of the Health Care Worker Background Check Act [225 ILCS 4/6(15)].)
- "Direct care." The provision of nursing assistance with meals, dressing, movement, bathing, or other personal needs of maintenance, or general supervision and oversight of the musical and mental well-being of an individual who is incapable of maintaining his or her independent residence or who is incapable of managing his or her personal affairs. (Section 15 of the Health Care Worker Background Check Act [225 ILCS 4/6(15)].)
- "Initiate." The obtaining of the authorization for a record check from a student, applicant, or employee. The agency shall transmit all necessary information and fees to the Illinois State Police within 10 working days after receipt of the authorization. (Section 15 of the Health Care Worker Background Check Act [225 ILCS 4/6(15)].)
- "Nurse Aide Registry." The Registry of nurse aides kept by the Department of Public Health pursuant to Section 3-206.01 of the Nursing Home Care Act [220 ILCS 5/3-206.01].
- "UCLA." The Uniform Conviction Information Act [20 ILCS 2635].
- §1 Nurse Aide Registry
- For all applicants for nurse aide positions, the agency shall check the Nurse Aide Registry to determine the date of the applicant's last Deceased criminal history record check. If it has been more than one year since the records check, the agency must initiate or have initiated on its behalf a UCLA criminal history record check for the nurse aide. (Section 30(b) of the Health Care Worker Background Check Act [225 ILCS 4/6(30(b))].)
- d) Conditional offers
- Effective January 1, 1996, if the agency makes a conditional offer of employment to an applicant other than a nurse aide who is not exempt under subsection (m) of this Section for a direct care position, the

DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT(S)

- agency shall initiate or have initiated on its behalf a UCIA criminal history record check. (Section 30(1c) of the Health Care Worker Background Check Act [225 ILCS 16/30(c).])
- §1. Initiation of UCIA criminal history record check.
- By January 1, 1997, the agency must initiate a UCIA criminal history record check for all direct care employees who were hired before January 1, 1996, who have not already had a UCIA criminal history record check and who are not exempt in accordance with subsection (m) of this Section. Section 30 of the Health Care Worker Background Check Act [225 ILCS 16/30].
1. Request for UCIA criminal history record check.
- The agency shall request the UCIA criminal history record check in accordance with the requirements of the Department of State Police. (See 20 Ill. Adm. Code 1265.) The agency shall notify the applicant or employee of the following whenever a non-financial UCIA Criminal History Record search is made: (Section 30 of the Health Care Worker Background Check Act [225 ILCS 16/30].)
1. That the agency shall request or have requested on its behalf a UCIA criminal history record check pursuant to the Health Care Worker Background Check Act.
2. That the applicant or employee has a right to obtain a copy of the criminal records report, challenge the accuracy and completeness of the report, and request a waiver in accordance with subsection (m) of this Section.
3. That the applicant, if hired conditionally, may be terminated if the record of conviction of any of the criminal offenses enumerated in subsections (a)(1) through (a)(4) of this Section unless the applicant's identity is validated and it is determined that the applicant or employee does not have a disqualifying criminal history record based on a fingerprints-based records check pursuant to subsection (b) of this Section or the employee receives a waiver pursuant to subsection (m) of this Section.
4. That while a waiver request is pending:
5. If the applicant, if not hired conditionally, shall not be hired if the criminal records report indicates that the applicant has a record of conviction of any of the criminal offenses enumerated in subsections (a)(1) through (a)(4) of this Section or the employee receives a waiver pursuant to subsection (m) of this Section.
6. That the employee may be terminated if the criminal records report indicates that the employee has a record of conviction of any of the criminal offenses enumerated in subsections (a)(1) through (a)(4) of this Section unless the record is cleared based

DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENT(S)

- on a fingerprints-based records check pursuant to subsection (b) of this Section or the employee receives a waiver pursuant to subsection (m) of this Section.
9. Conditional employment.
- The agency may conditionally employ an applicant to provide direct care for up to three months pending the results of a UCIA criminal history record check. (Section 30(1a) of the Health Care Worker Background Check Act [225 ILCS 16/30(a)].)
10. Request for fingerprints-based UCIA criminal records check.
- An applicant, employee, or nurse aide whose UCIA criminal history record check indicates a conviction for committing or attempting to commit one or more of the offenses enumerated in subsections (a)(1) through (a)(4) of this Section may request that the agency commence a fingerprints-based UCIA criminal records check by submitting information in a form and manner prescribed by the Department of State Police (see 20 Ill. Adm. Code 1265) within 30 days after receipt of the criminal records report to validate identity and clear one is record. (Section 35 of the Health Care Worker Background Check Act [225 ILCS 16/35].)
11. Eligibility for waiver.
1. The applicant, employee, or nurse aide may request a waiver of the application against employment. (Section 40 of the Health Care Worker Background Check Act [225 ILCS 16/40].)
2. The Department may grant a waiver based on any mitigating circumstances, which may include but not be limited to Section 40(b) of the Health Care Worker Background Check Act [225 ILCS 16/40(b)].
3. The applicant's, employee's or nurse aide's age at the time that the crime was committed;
4. The circumstances surrounding the crime;
5. The length of time since the conviction;
6. The applicant or employee's criminal history since the conviction;
7. The applicant or employee's work history;
8. The applicant or employee's current employment references;
9. The applicant or employee's character references;
10. Nurse Aide Registry records; and
11. Other evidence demonstrating the ability of the applicant or employee to perform the employment responsibilities competently and evidence that the applicant or employee does not pose a threat to the health or safety of residents, recipients or clients.
12. Application for waiver.
13. If the applicant, employee or nurse aide wishes to request a waiver, the request shall be submitted within 5 calendar days after receipt of the criminal records report. A complete waiver request shall include the following:

DEPARTMENT OF MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT(S)

- A) A statement specifying any initiating circumstances which are relevant to the employment in question, and either:
- 1) Information necessary for the Department to obtain a fingerprint-based UCIA criminal records check, including a suitable set of fingerprints in a form described by the Department of State Police (see 20 Ill. Adm. Code 1265), the fee for such a check which shall not exceed the actual cost of the check and the findings of the required non-fingerprint-based UCIA criminal records check conducted by the Department of State Police; or
  - 2) The report of the results of the fingerprint-based UCIA criminal records check done pursuant to subsection (b) of this section.
- B) The waiver request shall be submitted to:
- Office of Accreditation and Licensure  
Department of Mental Health and Developmental Disabilities  
401 Stratton Building  
Springfield IL 62765
- C) The waiver request shall be reviewed by a panel of Department staff. The Department shall return a decision to the applicant, employee or nurse aide and the provider within 30 calendar days after receipt of the completed waiver request. In addition, receipt of a report from the State Police based on the fingerprint-based record check.
- D) The agency is not obligated to hire or offer permanent employment to an applicant or to retain an employee who is granted a waiver. Section 40(f) of the Health Care Worker Background Check Act [225 ILCS 46/40(f)] shall be immune from liability for any waivers granted. (Section 40(e) of the Health Care Worker Background Check Act [225 ILCS 46/40(e)])
- E) Appeal of the decision
- 1) The applicant, employee or nurse aide may request further review of his or her request for a waiver with 30 calendar days after the receipt of the Department's denial of the waiver.
  - 2) The applicant, employee or nurse aide may submit additional documentation of the initiating circumstances.
  - 3) The appeal shall be submitted to:  
Office of the Director,  
Department of Mental Health and Developmental Disabilities  
401 Stratton Building

## NOTICE OF PROPOSED AMENDMENT(S)

- Springfield IL 62765
- A) The Director shall act on the appeal within 30 calendar days after receipt of the appeal and shall issue a final decision. This Section shall not apply to:
- 1) An individual who is licensed by the Department of Professional Regulation or the Department of Public Health under another law.
  - 2) An individual employed or retained by the agency as defined by Section 15 of the Health Care Worker Background Check Act [225 ILCS 46/15] for whom a criminal background check is required by another law of this State. (Section 20 of the Health Care Worker Background Check Act [225 ILCS 46/20])
  - 3) The agency shall send a copy of the results of the UCIA criminal history record check to the State Nurse Aide Registry for an individual employed as a nurse aide within 10 working days after receipt of the results. (Section 30(b) of the Health Care Worker Background Check Act [225 ILCS 46/30(b)])
  - 4) The agency shall retain on file for a period of five years records of original records requests for all employees. The files shall be subject to inspection by the Department's Office of Accreditation and Licensure. The agency shall retain the results of the UCIA criminal history record check and waiver, if appropriate, for the duration of the individual's employment. A fine of \$5000 may be imposed for failure to maintain these records. (Section 50 of the Health Care Worker Background Check Act [225 ILCS 46/50])
- (Source : Added at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

DEPARTMENT OF MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Recipient Rights

2) Code Citation: 59 Ill. Adm. Code 111

3) Section Number: Proposed Action:  
111.20  
Amended  
Added

4) Statutory Authority: Implementing Sections 2-102(a), 3-204, 3-205 and 4-205 of the Mental Health and Developmental Disabilities Code (405 ILCS 5/2-1102(a), 3-204, 3-205 and 4-205) and authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code (405 ILCS 5/5-104) and Section 5 of the Department of Mental Health and Developmental Disabilities Act (20 ICBS 1705/5).

5) A Complete Description of the Subjects and Issues Involved: Part 111 is being amended to be more specific and to clarify the requirements in the current Section 111.20. Section 111.20 has been divided into two Sections: Section 111.20 concerns recipients who are deaf or hard of hearing; new Section 111.25 concerns recipients who are limited English and non-English speaking.

Both Sections require that Department facilities and community agencies provide qualified interpreters or translators on a subsection and, whenever necessary, provide treatment or rehabilitation services. Both require facilities to maintain lists of interpreters and translators and to provide training on the unique aspects of providing services to recipients who are deaf, hard of hearing or non-English speaking. Section 111.20 requires the use of telecommunications devices for the deaf and light or vibrating alerting and safety devices. These services and devices are required by the Americans with Disabilities Act of 1990 (42 U.S.C. 12101-1213 (1995) and 47 U.S.C. 225 and 611 (1995)).

In addition, terminology and statutory citations are being updated.

6) Will this proposed amendment replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic renewal date? No

8) Does this proposed amendment contain incorporation by reference? No

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: This rulemaking does not impact the State Mandates Act (30 ICBS 805).

DEPARTMENT OF MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENTS

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking. Any interested person may submit comments, data, views or argument regarding this proposed rulemaking before the expiration of the first 45-day notice period. Submissions must be in writing and directed to:

Judit Hollenberg

Rules Administrator

Illinois Department of Mental Health  
and Developmental Disabilities  
401 Stratton Building  
Springfield IL 62765  
Telephone (217)782-3313  
FAX (217)524-8920

## 12) Initial Regulatory Flexibility Analysis:

- A) Types of small business affected: Community providers of services to individuals with mental illness and/or developmental disabilities.
- B) Reporting, bookkeeping or other procedures required for compliance: None required.
- C) Dates of professional skills necessary for compliance: Access to interpreters for individuals who are deaf or hard of hearing and translators for individuals who are non-English speaking qualified in accordance with this rulemaking.

13) Regulatory Agenda on which this rulemaking was summarized: July 1996  
The full text of the Proposed Amendments(s) begins on the next page.

**DEPARTMENT OF MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES**

**NOTICE OF PROPOSED AMENDMENTS**

**TITLE 59: MENTAL HEALTH  
AND DEVELOPMENTAL DISABILITIES**

**PART 111**

**RECIPIENT RIGHTS**

**Section 110 Nondiscrimination on the basis of handicap in the delivery of services under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C.A. 701 et seq., 1982).**

**111.10 Services to individuals who are deaf, hard-of-hearing, deaf-blind, or deafened (hearing impaired) and/or who use manual/visual communication Service-to-hearing-impaired-and-non-English-fluent—British—Developmental Disabilities Facilities—in—Department-of-Mental-Health-and-Developmental Disabilities Facilities**

**Services to individuals in Department facilities who are non-English or limited-English speaking**

**111.11 Voter registration for service applicants**

**AUTHORITY:** Section 11.10 implementing 29 U.S.C. 794 (1995) and 45 CFR 84 (1994); Section 11.20 Implementing Americans with Disabilities Act (42 U.S.C. 12101 et seq.); Sections 2-102(a), 3-204, 3-205 and 4-205 of the Mental Health and Developmental Disabilities Code (405 ILCS 5/2-102(a), 3-204, 3-205 and 4-205); Section 11.25 implementing Sections 2-102(a), 3-204, 3-205, and 4-205 of the Mental Health and Developmental Disabilities Code (405 ILCS 5/2-102(a), 3-204, 3-205, and 4-205); Section 11.30 implementing the National Voter Registration Act of 1993 (42 U.S.C. 1973g (1995)); authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code (405 ILCS 5/5-104) and Section 5 of the Department of Mental Health and Developmental Disabilities Act (20 ILCS 1705/5).

**SOURCE:** Adopted at 8 Ill. Reg. 2086, effective November 1, 1984; emergency amendment at 19 Ill. Reg. 1398, effective September 15, 1995, for a maximum of 150 days; emergency expired February 11, 1996; amended at 20 Ill. Reg. 5320, effective March 29, 1996; amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 111.20 Services to individuals who are deaf, hard-of-hearing, deaf-blind, or deafened (hearing impaired) and/or who use manual/visual communication Service-to-hearing-impaired-and-non-English-fluent—British—Developmental Disabilities Facilities—in—Department-of-Mental-Health-and-Developmental Disabilities Facilities**

All individuals received services shall be provided with adequate and humane care and services pursuant to an individualized service treatment or habilitation plan in accordance with Sections 2-102(a), 3-209 and 4-309 of the

**DEPARTMENT OF MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES**

**NOTICE OF PROPOSED AMENDMENTS**

**Code [405 ILCS 5/2-102(a), 3-209 and 4-309] and [405 ILCS 5/2-102(a), 3-204, 3-205, and 4-205] no individual shall, solely on the basis of being deaf, hard-of-hearing, deaf-blind, or deafened (hearing impaired) and/or using manual or visual communication, be denied the benefits of, or be subjected to discrimination by a facility.**

**a) Definitions**

For the purposes of this Section, the following terms are defined:

"Code." The Mental Health and Developmental Disabilities Code (405 ILCS 5/1).

"Communication facilitation." The means provided to overcome a barrier in communication created because an individual is hearing impaired and/or uses manual or visual communication, e.g., interpreter, or mental health or developmental disability and deafness professional services.

"Deaf." Any loss of hearing, occurring prior to the acquisition of normal spoken language, that precludes successful processing of linguistic information through audition, with or without a hearing aid. An individual may be considered "deaf" based on language use, cultural affiliation, social preferences, or self-determination.

"Deaf-blind." Any loss of hearing, occurring at any age prior to or post acquisition of normal spoken language, that precludes successful processing of linguistic information through audition, with or without a hearing aid, and visual impairment of 20/20 in the better eye corrected or a visual field of 20 degrees or less.

"Deafened." Any loss of hearing, occurring at any age after normal spoken language was acquired, that precludes successful processing of linguistic information through audition, with or without a hearing aid.

"Department." The Department of Mental Health and Developmental Disabilities or successor agency.

"Facility." Any mental health or developmental disability facility, as defined by Sections 1-07 and 1-14 of the Code (45 ILCS 5/1-107 and 1-114).

"Hard-of-hearing." Any loss of hearing that allows generally with the use of a hearing aid, the successful processing of linguistic information through audition.

DEPARTMENT OF MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENTS

**"Hearing impaired."** Deaf, deaf-blind, hard-of-hearing, or deafened.

**"Individual."** A recipient of mental health or developmental disabilities services as defined by Sections 1-11 and 1-128 of the Code 145 ILCS 5/1-11 and 1-28.

**"Interpreter."** A qualified professional who provides communication facilitation services between any persons using different modes (spoken, or manual) and/or languages (signed English/American Sign Language) to communicate. This person shall be certified by the Registry of Interpreters for the Deaf, 8719 Colfax Road, Suite 310, Silver Spring, MD 20904-3919. Telephone (301) 608-0260, or shall be assessed by the interpreter skills assessment screening (ISS) attaining a level IV or level V certification, or shall be approved by the Statewide Coordinator.

**"Manual or visual communication."** Using the hands, body or facial expressions as the primary modalities for communication, but may also include and not be limited to American Sign Language, Signed English, finger spelling, handtomes, assures, lip or speech reading, tactile finger spelling or signs, paper and pencil (writing or reading), flash cards, telecommunication (telephone devices for the deaf (TDD), hearing aids, and other methods of manual or visual communication).

**"Mental health or developmental disability and disability professionals."** Mental health or developmental disability professionals, e.g., psychologists, social workers, psychiatric nurses, and other mental health or developmental disability professionals with intermediate or advanced expertise in manual or visual communication modes and languages and knowledge of culture and psychosocial aspects of individuals who have hearing impairments.

**"Preferred mode of communication."** Any visual and/or auditory communication mode and/or language used by an individual who is hearing impaired to express him or herself and to understand the communication of others, e.g., American Sign Language, writing.

**"Statewide Coordinator."** The Department's Statewide Coordinator of Services for People who are Deaf, Hard of Hearing or Deaf-Blind.

**b1** Services for individuals who are hearing impaired

**b1** Intake staff shall determine through initial assessment,

DEPARTMENT OF MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENTS

Input, and consultation that an individual is presenting for admission, has a hearing impairment or other communication deficit, what type and degree of hearing loss the individual has (based on information available at the time of intake, he or she requires manual or visual communication). This information shall be documented on form DMD-12a, "Clinical Record Face Sheet" or on the community agency intake form.

**b1** Each facility shall maintain a list of interpreters and mental health or developmental disability professionals, employed by or under contract to the facility. The list shall have each interpreter's mode of communication and level of certification. The facility director shall be responsible for distribution the list to the appropriate facility staff and updating it at least annually. These lists shall be submitted to the Statewide Coordinator.

**c1** Each facility shall, with the assistance, if necessary, of family members or friends of the individual who use the individual's preferred mode of communication, shall inform the individual that an interpreter (to facilitate communication and/or mental health or developmental communication and/or deafness professionals to consult) has been contacted for the expected time of arrival. Facility staff (unified) family members, or friends of the individual shall not interpret. A qualified interpreter and/or mental health or developmental disability and deafness professional shall be used during the individual's intake, assessment and evaluation when information is being conveyed to the individual regarding admission, discharge, transfer, or the right to object thereto, the explanation of the individual's rights, when being admitted for involuntary admission or certification, while being interviewed or tested by a psychologist, psychiatrist or physician, during therapy, or whenever necessary to provide effective treatment or habilitation services to the individual. When this is not an acceptable substitute for an interpreter and/or mental health or developmental disability and deafness professional during the intake, admission, and therapy process.

**d1** If communication facilitation is necessary in order to determine whether the individual meets the admission criteria, or to complete the admission, discharge or transfer process, it shall be obtained preferably within 12 hours, but not later than the time limit prescribed by Sections 2-203, 3-50(1), 3-604, 3-607, 3-610, 3-704(a), 4-200, 4-402(a), and 4-405. 145 ILCS 5/3-503, 3-504(f),

DEPARTMENT OF MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENTS

3-604, 3-607, 3-610, 3-701(a), 4-100, 4-402(a), and 4-405(a).

The services of an interpreter and/or mental health or developmental disability and deafness professional shall be available to the facility 24 hours per day, seven days per week. This requirement may be met by contracting with a person for services as needed. The facility shall pay for the cost of the interpreter.

E) The Statewide Coordinator shall assist any facility on request in obtaining the services of an interpreter or a mental health or developmental disability and deafness professional.

A) Interpreter services, the services of mental health or developmental disability and deafness professionals, or both, as determined by the interdisciplinary team, shall be made available to any person(s) using different modes (spoken or manual and/or language (signed English or American Sign Language), to communicate in order to provide appropriate services to individuals or staff who are hearing impaired and/or use manual or visual communications and/or provide appropriate services and/or treatment to individuals who are hearing impaired and/or use manual or visual communication and the appropriate auxiliary aids to allow such individual to benefit from the services and/or treatment. The Statewide Coordinator shall be contacted to provide assistance to facilities to develop and provide appropriate services for these individuals.

Treatment or habilitation arrangements for individuals who are hearing impaired and/or use manual or visual communication may include arrangements made by the facility with other facilities, private clinicians, or other community providers (e.g., hospitals, clinics, Department-funded agencies) that can meet the individual's treatment or habilitation needs. C) Individuals who are hearing impaired and/or use manual or visual communication shall be provided with telecommunication devices for the deaf (TDD) and/or phone amplifiers and/or telebell devices, whichever is appropriate, to insure their right to private telephone communications as provided by Section 2-103 of the Code (45 ILLCS 5/2-103). Telecaption decoders shall be provided and placed, as needed, for television access. Visual and tactile life-safety alerting devices, including, but not limited to wake-up alarms (lights and/or vibrators) and fire alarms (lights and/or vibrators) shall be installed as available where necessary.

D) As a part of the quality assessment and improvement plan for facilities shall have a written compliance plan for

DEPARTMENT OF MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES

NOTICE OF PROPOSED AMENDMENTS

individuals who are hearing impaired and/or use manual or visual communication. This plan shall include but not be limited to:

- i) Designated staff responsible for implementing;
- ii) Monitoring and evaluating the plan;
- iii) A list of interpreters and mental health or developmental disability and deafness professionals employed or contracted to the facility; their skills level in American Sign Language, and any certification they hold; and
- iv) Training for staff on the unique aspects of providing services to individuals who are hearing impaired and/or use manual or visual communication and procedures to assist the individual in filling out a complaint form.

3) Clinical records documentation, provision of interpreters, mental health or developmental disability and deafness professionals, social equipment, and other support services shall be documented in the intake and treatment summaries.

a) All residents in the Intake and Treatment facilities shall be provided with adequate and homogeneous services for individualized-treatment or developmental-disability--persons--to--an--individualized--services treatment/habilitation plan first--Rev--Stat--1993--ch--92--1/p--part--2--16977--3--289 and 4-405--

b) No restrictions on service--ability--soley--on--the--basis--of--a--hearing impairment--or--inability--to--communicate--in--the--English--language--or--be excluded--from--the--participation--by--a--denied--the--benefits--of--or--be subjected--to--dissemination--by--a--Treatment--Facility--

c) Communication assistance--as--that--team--is--used--in--this--Section--is--the means--provided--to--overcome--a--barrier--in--communication--related--because--the--patient--does--not--speak--English--or--has--only--limited--use--of English--or--because--the--resident--is--deaf--or--hard--of--hearing--impaired--or--either--fit--or--eardary--paper--and--pencil--translators--sign--language--interpreters--tape--recordings--?

d) Communication assistance--is--necessary--in--order--to--determine--whether the--individual--meets--the--criteria--for--admission--and/or--to--complete--the--admission--process--it--shall--be--obtained--within--the--admission--time limits--prescribed--by--the--Mental--Health--and--Developmental--Disabilities Code--1993--ch--92--Rev--Stat--1993--ch--92--1/p--part--3--504--677--3--6047--3--607--3--610--3--7044687--4--3607--4--405--

e) Communication assistance--shall--be--available--for--the treatment/habilitation

f) Communication assistance--shall--be--available--for--the treatment/habilitation

DEPARTMENT OF MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENTS

treatment/habilitation-staff-to-provider services-to non-English-speaking individual--speaking--individual--Services-in-the individual's-native tongue--shall-be provided by those Department facilities--serving--planning--areas (geographic)--divisions established in each of the Department's service regions having percent--of-the planning--area--population--75,000--to 200,000--when 50 percent--of-the--language--and-is present-of-that non-English-speaking population are referred-for admission:

Whenever-a-Bilingual-facility--cannot--provide--communication-assistance to-the-treatment/habilitation-staff--in-the--regional-administration--that obtains--communication--assistance--an alternative treatment/habilitation-needed--communication--assistance--for whom the facility cannot obtain needed--communication--program--for any--recipient with a private citizen or other community provider--ter 9777-hospital citizen--the--program funded--agency--which--can--meet--the treatment/habilitation-needs-of-the-recipient?

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 111.25 Services to individuals in Department facilities who are non-English or limited-English speaking

All individuals in Department facilities shall be provided with adequate and humane care and services pursuant to an individualized service (treatment or habilitation) plan in accordance with Sections 2-102(a), 3-209 and 4-309 of the Code [405 ILCS 5/2-102(a), 3-209 and 4-309]. In accordance with Sections 2-102(a), 3-204, 3-205 and 4-205 of the Code [405 ILCS 5/2-102(a), 3-204, 3-205 and 4-205] no individual shall, solely on the basis of an inability to communicate in the English language, be denied the benefits of, or be subjected to discrimination by, a Department facility.

## Definitions

For the purposes of this Section, the following terms are described:

"Code." The Mental Health and Developmental Disabilities Code [405 ILCS 5/].

"Department." The Department of Mental Health and Developmental Disabilities or Successor Agency.

"Individual." A recipient of mental health or developmental disabilities services, as defined by Sections 1-111 and 1-128 of the Code [405 ILCS 5/1-111 and 1-128].

"Interpreter." A person fluent in English and in the native language of the recipient who can accurately speak, read, and readily interpret the necessary second language. This interpreter shall be approved by the Department's Statewide Coordinator of Services for People who are Non-English or Limited-English Speakers.

## NOTICE OF PROPOSED AMENDMENTS

DEPARTMENT OF MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENTS

language of the recipient who can accurately speak, read, and readily interpret the necessary second language. This interpreter shall be approved by the Department's Statewide Coordinator of Services for People who are Non-English or Limited-English Speakers.

"Limited-English Speaker." A person whose English vocabulary consists of 100 to 400 words. Such a person has usually mastered most extensions necessary to function normally in an English-speaking environment. However, words used to express feelings and other emotionally charged material are lacking.

"Non-Bilingual Speaker." A person who has no command or understanding of the English language.

"Qualified staff." Mental health or developmental disability professionals, e.g., psychologists, psychiatrists, social workers, psychiatric nurses, and other mental health or developmental disability professionals who meet the definition of interpreters, as defined in this subsection (a).

b) Service provision during the admission process. Intake staff shall determine whether a person presenting for admission is a non-English or limited-English speaker and, if so, the person's native language. Intake staff shall document interpreter services required on the intake and treatment summaries. The provision of the interpreter services shall be defined as a part of active treatment.

2) Interpreter services. In the individual's native language shall be available in accordance with Sections 3-204, 3-205, and 4-205 of the Code [405 ILCS 5/2-204, 3-205 and 4-205] for the treatment or habilitation staff to provide services to non-English or limited-English speaking individuals. Staff shall document in the individual's clinical record that an interpreter was used to provide information.

3) Each facility shall maintain a list of interpreters employed by or under contract to the facility and what language(s) they speak. In addition, each facility shall maintain a list of community interpreter resources. The facility director shall be responsible for distributing the list to the appropriate staff and updating it at least annually.

4) Facilities shall provide interpreters, or specifically during all admissions, during intake, or specifically during all assessments or services while the individual is being interviewed or tested by a psychologist, psychiatrist, or physician. Additionally, interpreters are to be used during therapy, when care and treatment information is being conveyed.

**DEPARTMENT OF MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES**

**NOTICE OF PROPOSED AMENDMENTS**

when information is being conveyed regarding the individual's discharge, transfer, objection to discharge or transfer, or the individual's rights, when the individual is being examined for involuntary admission, or certification at the request of the individual's family or guardian, or whenever necessary to provide effective treatment or rehabilitative services to the individual.

**Qualified staff who speak the individual's native language may be used as interpreters or the facility may contract for the services of interpreters. The facility shall pay for the cost of the interpreter. Family members of the individual shall not be used as interpreters. Family members may inform the individual that an interpreter has been contacted and the expected time of arrival. The family may participate in the intake and treatment process with the interpreter provided by the facility.**

**Facility plan**

Facilities shall establish a written implementation, monitoring and evaluation plan for interpreter services to non-English and limited-English speaking individuals. This plan, which shall be a part of the facility quality assessment and improvement program, shall include but not be limited to the following areas:

- 1) Designation of personnel within the facility responsible for implementing the plan, monitoring the provision of interpreter services and conducting an annual evaluation of services provided;
- 2) Establishing a list of interpreters on the facility's staff or on contract from the community, the languages they speak and their availability. In addition, insure that hostings that advise individuals and their families of the availability of interpreters, the procedures for obtaining interpreters and the telephone number to call to file a complaint are posted in conspicuous places in the facility;
- 3) Defining an effective process to implement the Department's procedures for identifying the individual's level of functioning in English and his or her native language and accurately recording this information in the individual's clinical record and the Department's data systems and based on new assessments of information updating them as indicated; and

- 4) Training facility staff in the unique aspects of providing services to individuals who are non-English or limited English-speaking and in procedures to assist the individual in submitting the complaint form.

(Source: Added at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES**

**NOTICE OF PROPOSED AMENDMENT(S)**

- 1) Heading of the Part: Standards and Licensure Requirements for Community-Integrated Living Arrangements
- 2) Code Citation: 59 Ill. Adm. Code 115
- 3) Section Number: 115.321
- 4) Statutory Authority: Implementing the Community-Integrated Living Arrangements Licensing and Certification Act [210 ILCS 135] and the Health Care Worker Background Check Act [225 ILCS 46] authorized by Section 5-104 of the Mental Health and Developmental Disabilities Code [105 ILCS 5/5-14] and Section 5 of the Department of Mental Health and Developmental Disabilities Act [20 ILCS 1/705/5].

A Complete Description of the Subjects and Issues involved: Section 115.321 is being added to implement the waiver provisions of the Health Care Worker Background Check Act [225 ILCS 46]. After January 1, 1997, community agencies are prohibited from knowingly employing or retaining in full-time, part-time or contractual direct care positions any persons who have been convicted of committing or attempting to commit one or more of the offenses listed in Section 25 of the Health Care Worker Background Check Act [225 ILCS 16/25] unless the employee or applicant has obtained a waiver. This ruling identifies the various types of background checks which must be made and the conditions under which they are to be made. Provisions for conditional employment, termination of employment, waiver eligibility, and the employee's or applicant's right to appeal the waiver decision are included.

- 5) Will this proposed amendment replace an emergency rule currently in effect? No, this proposed amendment will not replace an emergency rule currently in effect.
- 6) Does this ruling contain an automatic re-eval date? No
- 7) Does this ruling amend or change an existing rule? No
- 8) Does this proposed amendment contain incorporation by reference? This ruling does not incorporate by reference any federal statutes or regulations or rules of another State agency.
- 9) Are there any other proposed amendments pending on this Part? Yes. 20
- 10) Statement of Statewide Policy Objectives: This rulemaking does not impact the State Mandates Act [30 ILCS 805].
- 11) Time, Place and Manner in which interested persons may submit comments on this proposed rulemaking: Any interested person may submit comments on this proposed rulemaking before the expiration

## DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT(S)

of the first 45-day notice period. Submissions must be in writing and directed to:

Judith Hollenberg  
Rules Administrator  
Illinois Department of Mental Health  
and Developmental Disabilities,  
401 Stratton Building  
Springfield IL 62765  
Telephone (217) 785-3913  
FAX (217) 524-8920

## 12) Initial Regulatory Flexibility Analysis:

- A) Types of small business affected: Private agencies which operate community integrated living arrangements licensed by the Department.  
Reportings, bookkeeping or other procedures required for compliance:  
None.
- B) Types of professional skills necessary for compliance: No special skills needed.
- C) Regulatory Agenda on which this rulemaking was summarized: July 1996

The full text of the Proposed Amendment(s) begins on the next page.

## DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT(S)

TITLE 59: MENTAL HEALTH  
CHAPTER II: DEPARTMENT OF MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES

## PART 115

STANDARDS AND LICENSURE REQUIREMENTS FOR COMMUNITY-INTEGRATED LIVING ARRANGEMENTS

## SUBPART A: GENERAL PROVISIONS

## SUBPART B: SERVICE REQUIREMENTS

## SUBPART C: GENERAL AGENCY REQUIREMENTS

## SUBPART D: LICENSURE REQUIREMENTS

Section	Description
115.200	Environmental management of living arrangements
115.300	Geographic location of community-integrated living arrangements
115.310	Administrative requirements for community-integrated living arrangements
115.320	Criteria for participation of individuals
115.325	Criteria for termination of individuals
115.330	Community support team
115.335	Interdisciplinary process
115.340	Medical services and medications
115.345	Individual rights and confidentiality
115.350	Definitions
115.355	Incorporation by reference
115.360	Section
115.365	Section
115.370	Section
115.375	Section
115.380	Section
115.385	Section
115.390	Section
115.395	Section
115.400	Section
115.410	Applicability
115.420	Issuing a license and period of licensure
115.430	License application
115.440	Application acceptance and verification
115.450	Non-transferability of license
115.460	Cessation of operations
115.470	License revocation

APPENDIX A	Specific level of Functioning Assessment and Physical Health Inventory
------------	--

## DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT(S)

**AUTHORITY:** Implementing the Community-Integrated Living Arrangements Licensure and Certification Act [210 ILCS 135] and the Healthcare Worker Background Check and Developmental Disabilities Code [5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/5-104] and Section 5 of the Department of Mental Health and Developmental Disabilities Act [210 ILCS 1705.5/5].

**SOURCE:** Adopted at 14 Ill. Reg. 10865, effective July 1, 1990; emergency amendment at 14 Ill. Reg. 20550, effective July 1, 1990, for a maximum of 150 days; emergency expired May 18, 1991; amended at 15 Ill. Reg. 8560, effective February 1, 1991; emergency amendment at 16 Ill. Reg. 2776, effective February 1, 1992; for a maximum of 150 days; emergency expired on June 30, 1992; amended at 17 Ill. Reg. 2143, effective November 29, 1993; amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART C: GENERAL AGENCY REQUIREMENTS

## Section 115.321 Application for waiver of the prohibition against employment

## a) Hiring of direct care personnel

An agency shall not knowingly hire or retain any person after January 1, 1997 in a full-time, part-time or contractual direct care position if that person has been convicted of committing or attempting to commit one or more of the following offenses unless the applicant or employee obtains a waiver pursuant to subsections (1) through (11) of this section. Section 25 of the Health Care Worker Background Check Act [225 ILCS 16/25];

1) Murder, homicide, manslaughter or concealment of a homicidal death [Sections 9-1 through 9-2.2 of the Criminal Code of 1961 (210 ILCS 5/9-1 through 5/9-3.1)];

2) Kidnapping or child abduction [Sections 10-1, 10-2, 10-5 and 10-7 of the Criminal Code of 1961 (210 ILCS 5/10-1, 10-2, 10-5 and 10-7);

3) Unlawful restraint or forcible detention [Sections 10-3, 10-3.1 and 10-4 of the Criminal Code of 1961 (210 ILCS 5/10-3, 10-3.1 and 10-4)];

4) Assault, battery or infliction of great bodily harm [Sections 12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-4, 12-4.2, 12-4.3, 12-4.4, 12-6 and 12-7 of the Criminal Code of 1961 (210 ILCS 5/12-1 through 5/12-7); and 12-11];

5) Sexual assault or abuse [Sections 12-13, 12-14, 12-15 and 12-16 of the Criminal Code of 1961 (210 ILCS 5/12-13, 12-14, 12-15 and 12-16)];

6) Predatory criminal sexual assault of a child [Section 12-14.1 of the Criminal Code of 1961 (210 ILCS 5/12-14.1);

7) Abuse or gross neglect of a long-term care facility resident [Section 12-14.1 of the Criminal Code of 1961 (210 ILCS 5/12-14.1);

## DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT(S)

(Section 12-19 of the Criminal Code of 1961 (210 ILCS 5/12-19));

b) Criminal neglect of an elderly or disabled person [Section 12-21 of the Criminal Code of 1961 (210 ILCS 5/12-21)];

9) Theft, financial exploitation of an elderly or disabled person, robbery or burglary [Sections 16-1, 16-1.3, 16A-3, 18-1, 18-2, 18-3 and 18-3.3 of the Criminal Code of 1961 (210 ILCS 5/16-1, 16-1.3, 16A-3, 18-1, 18-2, 18-3 and 18-3.3)];

10) Criminal trespass [Section 18-4 of the Criminal Code of 1961 (210 ILCS 5/19-4)];

11) Arson [Sections 20-1 and 20-1.1 of the Criminal Code of 1961 (210 ILCS 5/20-1 and 20-1.1)];

12) Unlawful use of weapons or aggravated discharge of a firearm [Sections 24-1 and 24-1.2 of the Criminal Code of 1961 (210 ILCS 5/24-1 and 24-1.2)];

13) Manufacture, delivery or trafficking of cannabis [Sections 5, 5.1 and 9 of the Cannabis Control Act (210 ILCS 550/5, 5.1 and 9)];

14) Manufacture, delivery or trafficking of controlled substances [Sections 401.1, 404, 405, 405.1, 407 and 407.1 of the Illinois Controlled Substances Act (210 ILCS 5/0/401, 401.1, 405, 405.1, 407 and 407.1)].

## b) Definitions

For the purposes of this Section, the following terms are defined:

"Applicant." A person seeking employment with an agency who has received a bona fide conditional offer of employment. (Section 15 of the Health Care Worker Background Check Act [225 ILCS 46/15].)

"Conditional offer of employment." A bona fide offer of employment by an agency to an applicant, which is contingent on the receipt of a report from the Department of State Police indicating that the applicant does not have a record of conviction of any of the criminal offenses enumerated in subsections (a)(1) through (a)(4) of this Section. (Section 15 of the Health Care Worker Background Check Act [225 ILCS 46/15].)

"Direct care." The provision of nursing assistance with meals, dressing, movement, bathing or other personal needs of maintenance, or general supervision and oversight of the physical and mental well-being of an individual who is incapable of maintaining a private, independent residence or who is incapable of managing his or her person whether or not a guardian has been appointed for that individual. (Section 15 of the Health Care Worker Background Check Act [225 ILCS 46/15].)

## DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT(S)

"**Facilitate.**" The obtaining of the authorization for a record check from a student, applicant, or employee. The provider shall transmit all necessary information and fees to the Illinois State Police within 10 working days after receipt of the authorization. (Section 15 or the Health Care Worker Background Check Act [225 ILCS 46/15])

"**Nurse Aide Registry.**" The registry of nurse aides kept by the Department of Public Health pursuant to Section 3-206.01 of the Nursing Home Care Act [210 ILCS 155/3-206.01].

"**UICPA.**" The Uniform Conviction Information Act [20 ILCS 2655.1].

## c) Nurse Aide Registry

For all applicants for nurse aide positions, the agency shall check the Nurse Aide Registry to determine the date of the applicant's last UICPA criminal history record check. If it has been more than one year since the records check, the agency must initiate or have initiated on its behalf a UICPA criminal history record check for the nurse aide. (Section 30(b) of the Health Care Worker Background Check Act [225 ILCS 46/30(b)])

## d) Conditional offers

Effective January 1, 1996, if the agency makes a conditional offer of employment to an applicant other than a nurse aide who is not exempt under subsection (m) of this Section for a direct care position, the supervisor shall initiate or have initiated on its behalf a UICPA criminal history record check. Section 30(c) of the Health Care Worker Background Check Act [225 ILCS 46/30(c)]

By January 1, 1997 the agency must initiate a UICPA criminal history record check for all direct care employees who were hired before January 1, 1996 who do not already had a UICPA criminal history record check and who are not exempt in accordance with subsection (m) of this Section. (Section 30 of the Health Care Worker Background Check Act [225 ILCS 46/30])

## e) Request for UICPA criminal history record check

The agency shall request the UICPA criminal history record check in accordance with the requirements of the Department of State Police. (See 20 Ill. Admin. Code 1265.1. The agency shall notify the applicant or employee of the following whenever a non-inspector of UICPA Criminal History Record search is made. (Section 30 of the Health Care Worker Background Check Act [225 ILCS 16/30])

1) That the agency shall request or have requested on its behalf a UICPA criminal history record check pursuant to the Health Care Worker Background Check Act.

2) That the applicant or employee has a right to obtain a copy of the criminal records report, challenge the accuracy and completeness of the report and request a waiver in accordance

## DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT(S)

- with subsection (l)(1) of this Section:
- 3) That the applicant, if hired conditionally, may be terminated if the criminal records report indicates that the applicant has a record of conviction of any of the criminal offenses enumerated in subsections (a)(1) through (a)(4) of this Section unless the applicant's identity is validated and it is determined that the applicant or employee does not have a disqualifying criminal history record based on a fingerprint-based records check pursuant to subsection (b) of this Section or the employee receives a waiver pursuant to subsection (l)(1) of this Section;
- 4) That the applicant or employee cannot work in a direct care position while a waiver request is pending;
- 5) That the applicant, if not hired conditionally, shall not be hired if the criminal records report indicates that the applicant has a record of conviction of any of the criminal offenses enumerated in subsections (a)(1) through (a)(4) of this Section unless the applicant's record is cleared based on a fingerprint-based record check pursuant to subsection (b) of this Section or the employee receives a waiver pursuant to subsection (l)(1) of this Section;
- 6) That the employee may be terminated if the criminal records report indicates that the employee has a record of conviction of any of the criminal offenses enumerated in subsections (a)(1) through (a)(4) of this Section unless the record is cleared based on a fingerprint-based records check pursuant to subsection (b) of this Section or the employee receives a waiver pursuant to subsection (l)(1) of this Section;
- 7) Conditional employment.
- The agency may conditionally employ an applicant to provide direct care for up to three months pending the results of a UICPA criminal history record check. Section 30(l) of the Health Care Worker Background Check Act [225 ILCS 46/30(g)].
- 8) Requests for fingerprint-based UICPA criminal records check.
- a) An applicant, employee, or nurse aide whose UICPA criminal history record check indicates a conviction for committing or attempting to commit one or more of the offenses enumerated in subsections (a)(1) through (a)(4) of this Section may request that the agency commence a fingerprint-based UICPA criminal records check by submitting information in a form and manner prescribed by the Department of State Police (see 20 Ill. Admin. Code 1265) within 30 days after receipt of the criminal records report to validate identity and clear said record. (Section 35 of the Health Care Worker Background Check Act [225 ILCS 46/35])
- b) Eligibility for waiver
- 1) As applicant, employee, or nurse aide may request a waiver of the prohibition against employment. Section 40 of the Health Care Worker Background Check Act [225 ILCS 46/40]
- 2) The Department may grant a waiver based on any mitigating

## DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT(S)

Circumstances which may include but not be limited to:

- A) The applicant's, employee's, or nurse aide's age at the time that the crime was committed;
- B) The circumstances surrounding the crime;
- C) The length of time since the conviction;
- D) The applicant or employee's criminal history since the conviction;
- E) The applicant or employee's work history;
- F) The applicant or employee's current employment references;
- G) The applicant or employee's character references;
- H) Nurse aide registry records; and
- I) Other evidence demonstrating the ability of the applicant or employee to perform the employee responsibilities competently and evidence that the applicant or employee does not pose a threat to the health or safety of residents, recipients or clients. (Section 40(b) of the Health Care Worker Background Check Act [225 ILCS 46/40(b)])

## 11 Application for waiver

If the applicant, employee or nurse aide wishes to request a waiver, the request shall be submitted within 5 calendar days after receipt of the criminal records report. A complete waiver request shall include the following:

- A) A statement specifying any mitigating circumstances the person believes are relevant to the employment in question; and
- B) Either:
  - i) Information necessary for the Department to obtain a fingerprint-based UICIA criminal records check including a suitable set of fingerprints in a form and manner described by the Department of State Police (see 20 Ill. Adm. Code 1265), the fee for such a check which shall not exceed the actual cost of the check and the findings of the required non-fingerprint-based UICIA criminal records check conducted by the Department of State Police; or
  - ii) The report of the results of the fingerprint-based UICIA criminal records check done pursuant to subsection (b) of this Section.

Agency staff may assist the applicant, employee or nurse aide in completing the application.

- 11 The waiver request shall be submitted to:  
Office of Accreditation and Licensure  
Department of Mental Health and Developmental Disabilities  
405 Stratton Building  
Springfield IL 62765
- 11 The waiver request shall be reviewed by a panel of Department

## DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT(S)

staff. The Department shall return a decision to the applicant, employee or nurse aide and the employee within 30 calendar days after receipt of the completed waiver request, including receipt of a report from the State Police based on the fingerprint-based record check.

- 2) The agency is not obligated to hire or offer permanent employment to the applicant or to retain an employee who is granted a waiver. (Section 40(E) of the Health Care Worker Background Check Act [225 ILCS 46/40(f)])
- 3) The Department shall be immune from liability for any waivers granted. (Section 40(E) of the Health Care Worker Background Check Act [225 ILCS 46/40(e)])
- 4) Appeal of the decision
  - 1) The applicant, employee or nurse aide may request further review of his or her request for a waiver within 30 calendar days after receipt of the Department's denial of the waiver.
  - 2) The applicant, employee or nurse aide may submit additional documentation to the submitted to:
  - 3) The appeal shall be submitted to:  
Office of the Director  
Department of Mental Health and Developmental Disabilities  
Springfield IL 62765
  - 4) The Director shall act on the appeal within 30 calendar days after receipt of the appeal and shall issue a final decision on the appeal or deny the waiver request.
- 5) This section shall not apply to:  
An individual who is licensed by the Department of Professional Regulation or the Department of Public Health under another law of this State. Section 20 of the Health Care Worker Background Check Act [225 ILCS 46/20].
- 6) An individual employed or retained by the agency as defined by Section 15 of the Health Care Worker Background Check Act [225 ILCS 46/15] for whom a criminal background check is required by another law of this State.
- 7) The agency shall send a copy of the results of the UICIA criminal history record check to the State Nurse Aide Registry for an individual employed as a nurse aide within 10 working days after receipt of the results. (Section 30(b) of the Health Care Worker Background Check Act [225 ILCS 46/30(b)])
- 8) The agency shall retain on file for a period of five years records of criminal records requests for all employees. The files shall be subject to inspection by the Department's Office of Accreditation and Licensure. The agency shall retain the results of the UICIA criminal history records check and waiver, if appropriate, for the duration of the individual's employment. A fine of \$500 may be imposed for failure to maintain these records. (Section 50 of the Health Care Worker Background Check Act [225 ILCS 46/50].)

## DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES

## NOTICE OF PROPOSED AMENDMENT (S)

(Source: Added at 21 Ill. Reg. \_\_\_\_\_) effective \_\_\_\_\_,

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

Heading of the Part: Commercial Fishing and Musseling in Certain Waters  
of the State

- 1) Code Citation: 17 Ill. Adm. Code 830
- 2) Section Numbers:
- 3) Section Numbers: Proposed Action:  

830.10	Amendments
830.20	Amendments
830.30	Amendments
830.40	Amendments
830.50	Amendments
830.70	Amendments
830.80	Amendments
830.90	Amendments
- 4) Statutory Authority: Implementing and authorized by Sections 1-60, 1-65, 1-120, 10-120, 15-35, 15-40, 20-35, and 25-5 of the Fish and Aquatic Code [515 ILCS 5/1-60, 1-65, 1-120, 10-120, 15-35, 15-40, 20-35, and 25-5].
- 5) A Complete Description of the Subjects and Issues Involved: Amendments are proposed to provide needed protection for several species of fish and mussels and to standardize regulations on boundary waters shared with neighboring states.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporation by reference? No
- 9) Are there any other proposed rulemakings pending on this part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rule may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price  
Department of Natural Resources  
524 S. Second Street  
Springfield, IL 62701-1787  
217/722-1809

- 12) Initial Regulatory Flexibility Analysis: These amendments do not affect

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

small businesses, small municipalities or not for profit corporations.

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: The Department neglected to list this Part on either of the last two agendas.

The full text of the proposed amendments begins on the next page:

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

TITLE 17: CONSERVATION  
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER b: FISH AND WILDLIFE

PART 830  
COMMERCIAL FISHING AND MUSSELING IN CERTAIN WATERS OF THE STATE

## Section

830.5	Definitions
830.10	Waters Open to Commercial Harvest of Fish
830.20	Waters Open to Commercial Harvest of Mussels and Seasons
830.30	Special Regulations
830.40	Devices
830.50	Permit
830.60	Species
830.70	Size Limit
830.80	Commercial Fishing and Musseling in Additional Waters
830.90	Revocation and Suspension of Commercial Fishing and Musseling Privileges, Hearings and Appeals and Reporting Requirements

AUTHORITY: Implementing and authorized by Sections 1-60, 1-65, 1-120, 10-120, 15-35, 15-40, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-60, 1-65, 1-120, 10-120, 15-35, 15-40, 20-35, and 25-5].

SOURCE: Adopted at 5 Ill. Reg. 6809, effective June 16, 1981; codified at 5 Ill. Reg. 10648; emergency amendment at 6 Ill. Reg. 1468, effective May 18, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 10680, effective August 20, 1982; amended at 7 Ill. Reg. 2707, effective March 2, 1983; amended at 10 Ill. Reg. 6326, effective April 15, 1986; amended at 11 Ill. Reg. 9513, effective May 5, 1987; amended at 12 Ill. Reg. 11714, effective June 20, 1988; amended at 15 Ill. Reg. 6544, effective May 4, 1991; amended at 16 Ill. Reg. 5257, effective March 20, 1992; amended at 17 Ill. Reg. 3177, effective March 2, 1993; emergency amendment at 18 Ill. Reg. 4671, effective March 14, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 9985, effective June 21, 1994; amended at 19 Ill. Reg. 5250, effective March 27, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 830.10 Waters Open to Commercial Harvest of Fish

- a) Mississippi River and adjacent backwaters including that portion of the Kaskaskia River below the Quincy Navigation Lock and dam, except Quincy Bay, including Quincy Bay Waterfowl Management Area, Spring Lake in the Upper Mississippi River Wildlife and Fish Refuge and Mark Twain U.S. Fish and Wildlife Service National Wildlife Refuge Waters except by special permit; waters—but fractions—that portion of the Mississippi River below the navigation lock and dam.

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- b) Illinois River and adjacent backwaters from Route 89 highway bridge downstream, except for:
- 1) U.S. Fish and Wildlife Refuge waters;
  - 2) Donnelly/Deupe Fish and Wildlife Area;
  - 3) Rice Lake Complex, including all of Big Lake; and
  - 4) Meredosia Lake in Cass and Morgan Counties during duck season.
- c) Wabash River.
- d) Embarras River, except from Route 130 in Coles County upstream to Route 16 including Lake Charleston.
- e) Sangamon River, downstream of Bilt Route 48 southwest of Decatur to mouth in Cass County.
- f) Rakaeska River, south of Route U.S. 50 Bridge to mouth in Randolph County.
- g) Little Wabash River.
- h) Big Muddy River south of State Route 14 highway bridge in Franklin County to mouth in Jackson County.
- i) Skillet Fork.
- j) Cache River from Route 51 downstream to the Mississippi River via Cache Diversion Channel but not including that portion of the Cache River between the Cache Diversion Channel Levee and the Ohio River.
- k) Saline River in Gallatin and Saline counties.
- l) Ohio River.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 830.20 Waters Open to Commercial Harvest of Mussels and Seasons

- a) Mississippi River and backwaters, April 15 to August 31 inclusive, except for the following areas:

1) All of the area directly above Lock and Dam 12 (RM 556.7) from the center of the navigation channel east to the Illinois shoreline and northward to a line extending from RM 556.4 to the Blanding's Landing boat ramp including but not limited to all of the area contained within the designated U.S. Military Reservation area.

2) b) All of the waters contained within Sylvan Slough from the Interstate 74 highway bridge (RM 495.8) west to the lower tip of Arsenal Bridge (RM 482.6).

3) c) All of the area north of and perpendicular to the center line of the navigation channel to the Illinois shoreline lying between RM 133.0 (New Boat Launching Ramp) to RM 433.8 (lower tip of the first upstream bend along the Illinois shoreline).

4) d) Pontiac Bay contained within and described as that area from the center of the main navigation channel and perpendicular to the Illinois shoreline located between RM 388.0 (Pontiac light and daymark) and RM 390.2 (Dallas City boat access area).

5) e) All of the area southward of the center of the navigation

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

channel and perpendicular to the Illinois shoreline on a line from the Des Moines River daymark (Iowa side) and the Des Moines River, lighted buoy (Illinois side), both of which are at RM 361.7, to Lock and Dam 19 (RM 364.5) including any slough channels of the Mud Island area along the Illinois side.

6) f) All of the area east of the center of navigation channel and perpendicular to the Illinois shoreline between RM 314.0 (Wethay light and daymark) and RM 316.0 (Hadley Island Goode light and daymark).

7) g) All of the area east of the center of navigation channel and perpendicular to the Illinois shoreline between River Mile 238.4 (Rastling's Landing light and daymark) and River Mile 246.8 (Turner Landing light and daymark).

- 8) h) Big Marsh, U.S. Fish and Wildlife Service National Wildlife Refuge Waters.
- b) i) Ohio River and backwaters. April 15 to September 30 inclusive.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 830.30 Special Regulations

a) Commercial fishing and musseling will not be permitted in any streams, ditches, or tributaries connected to the backwaters of the aforementioned waters.

b) Any person harvesting mussels for commercial use may possess during the open season only those mussels identified in Section 830.60 of legal size. Mussels smaller than the legal size and all mussels not identified in Section 830.60 must be immediately returned to the mussel bed or location from which they were taken.

c) It shall be illegal to possess mussel shell more than 15 days after the close of the season without a mussel dealer license.

d) Paddlefish may not be commercially harvested except in the Ohio River, the Illinois River below Route 89, and in the Mississippi River below Lock and Dam 18.

e) Commercial fishing devices must be checked and emptied of catch at the following time intervals:

1) Hoop nets and basket traps must be attended at least every 48 hours during open water conditions. During ice cover conditions, hoop nets and basket traps must be attended at least once every 20 days.

2) Trammel and still nets must be attended at least every 24 hours during open water conditions. During ice cover conditions, trammel and still nets must be attended at least every 96 hours.

3) Trolling and other hook and line devices must be checked at least every 4 hours.

4) Seines and trammel or still nets fished by driftnet or gill net methods must be constantly attended.

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

51 Commercial gear containing dead or maimed fish as a result of failure to check gear and empty catch shall be considered an illegal device.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 830.40 Devices

- a) Commercial fishing devices used in the aforementioned waters shall conform to all regulations as outlined in Article 15 of Chapter 56 of Illinois Revised Statutes. Hoop nets, basket traps, trot lines and dip nets may be used in all of the aforementioned waters.
- b) It shall be unlawful:

- 1) To use trotline nets and gill nets except in the Illinois River up to Route 99 Highway bridge and the Mississippi River.
- 2) To use seines except in the Illinois, Mississippi, Ohio and Wabash Rivers (except seining will not be permitted in Boston Bay and its connected backwaters above the mouth of Boston Bay in Mercer County).

- c) Musseling devices used in waters open to commercial musseling shall conform to all regulations as outlined below and in Articles 1 and 15 of 515 ILCs 5, Handpicking, hand-roofot-harvest-and-hand-forks-may-be-used-in-aits-waters-listed-in-Section-830.26-above;
- d) It shall be unlawful to use hand forks except in the Mississippi River.

- e) It shall be unlawful to use basket dredges, mechanical devices and hand dredges in the taking of mussels.

- f) It shall be unlawful to harvest mussels in the Ohio River except by using crook-barred.

- g) It shall be unlawful to tether or hold mussels in any containment device. Mussels must be taken to the boat or released each day.

- h) Braided or crooked bars must be 20 feet or less in length. Not more than 3 bars may be possessed in each boat.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 830.60 Species

- a) The following species of fish may be taken by licensed commercial fishermen:

- 1) Carp
- 2) Buffalo
- 3) Freshwater drum
- 4) Catfishes (includes bullheads)
- 5) Paddlefish (only in waters specified in Section 830.20)
- 6) Carpsuckers

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

7) Suckers (except Longnose Sucker)  
Redhorses (except River Redhorse and Greater Redhorse).

8) Goldeye and Moneyeye

10) Gar (except alligator gar)

11) Bowfin

12) American mussel

13) Shovelnose sturgeon

14) Gizzard shad

15) White sucker (grass carp)

16) Minnow

17) Goldfish

18) Bighead and Silver Carp

The following species of mussels may be taken by licensed commercial musselers:

1) Washboard (*Ambiuma nervosa*)

2) Threeridge (*Ambiuma plicata*)

3) Mapleleaf (*Quadrula quadrula*)

4) Pigtailback (*Quadrula pusilla*)

5) Monkeyface (*Quadrula metanevra*)

6) Rattailback (*Quadrula nobilata*)

7) Pigtoe (*Fusconaia flava* forma undata)

8) Hickory Nut (*Obovaria Nuttallii*)

9) Pink Scallopshitter (*Potamilus alatus*)

10) Pocketbook (*Lampsilis ovata*)

11) Black Sandshell (*Ligumia recta*)

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 830.70 Size Limit

a) No channel catfish, blue catfish, flathead catfish or white catfish under 15 inches in length, undressed, or 12 inches in length, dressed, or 10.7 inches when dressed with the first vertebral (T bone) removed, may be taken.

b) There is no size limit on other species listed in Section 830.60(a).

c) All Washboard mussels shall measure not less than 4.0 inches.

d) All Threeridge and maple leaf mussels shall measure not less than 2.75 inches.

e) All other mussels listed in 830.60(b), shall measure not less than 2.5 inches.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 830.80 Commercial Fishing and Musseling in Additional Waters

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- a) Additional waters may be open to commercial fishing or musseling by a contract for removal. Any licensed commercial fisherman or musseler who wishes to fish in any water not listed under Section 930.10 or 30.20 must request permission from the Division of Fisheries. The Division will determine whether the fish or mussel resource supports such activity and whether the activity is in the best interests of the general public. If so, the Department shall issue a contract for removal specifying the type of gear, season, species of fish or mussel that shall be removed, and any other regulations as shall be necessary to protect the resource.
- b) The standards for determining whether or not an additional fishery will be opened to commercial fishing or musseling shall include: a biological sampling of the commercial fish or mussel population to determine the relative abundance of the species present; an assessment of the impact of commercial fishing or musseling gear on spot, fish or mussel populations; a determination of the impact of commercial fishing or musseling activities on other water-based recreation; a determination of whether the fish are safe for public consumption (U.S. Food and Drug Administration standards are followed (USFDA 21 CFR 109.30, 1986). (No incorporation in this Part includes later amendments or editions); and a fair and equitable allocation of commercial fishing or musseling opportunities.
- c) Commercial fishing contracts will not be issued:
- 1) for non-commercial purposes; or
  - 2) if an individual has been found guilty of a violation of a State Fish and Aquatic Life Code Law or § 414-141-Arra-Code-09 This Part during the past twelve months.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 030 Revocation and Suspension of Commercial Fishing Privileges, Hearings and Appeals and Reporting Requirements

- a) In accordance with Section 20-105 of the Fish and Aquatic Life Code (Title-Rever-1993-ehr-567-par-28-099) (515 ICS 5/20-105): Failure to comply with the provisions of the Fish and Aquatic Life Code of Illinois pertaining to commercial fishing and/or musseling in Illinois waters, and this part will result in suspension or revocation of the commercial fishing and/or musseling license. The rights of commercial fishermen and musselers to notice and hearing, and the procedures governing such hearings are set forth in 17 Ill. Adm. Code 2330 (Rules Governing Department, Formal Hearings Conducted For Rule-Making and Contested Cases).
- b) Where waters of the State are open to commercial fishing or musseling by contract, the contract will be revoked upon failure of the contractor to comply with all terms of the contract. Furthermore, any

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- violation of a contract issued by the Director of Conservation or his agents shall be considered a violation of this Administrative Order and subject to the penalties as set forth in Sections 20-35 and 20-105 of the Fish and Aquatic Life Code (Title-Rever-1993-ehr-567-par-28-099) (515 ICS 5/20-105).
- c) Commercial fisherman shall submit an accurate annual record of the undressed weights of the species of fish harvested to the Department by January 31 of the following year, whether or not any fish were harvested.
- d) Holders of a commercial mussel harvest license shall submit an accurate record of the types and pounds of each species of mussel and/or relic mussel shells purchased on a monthly basis during the season by the 10th of each month following purchase, whether or not any mussels or mussel shells were purchased. Reports must be submitted on official Department of Natural Resources report forms.
- e) Failure of licensed commercial mussel dealers, fishermen or musselers to submit the required harvest reports in a manner and time frame specified by the Department shall be grounds for refusal on the part of the Department to issue said individuals a license application for the following year until all required reports are received by the Department.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- 1) **Heading of the Part:** Sport Fishing Regulations for the Waters of Illinois  
 2) **Code Citation:** 17 Ill. Adm. Code 810  
 3) **Section Number(s):** 810.35  
     810.37  
     810.45  
     810.50  
     810.60  
     810.70  
     810.90  
     810.90 Amendments
- 4) **Statutory Authority:** Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-50, 10-75, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code 15.5 TCS 5.1-120, 1-125, 1-150, 5-5, 10-5, 10-15, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5]
- 5) **Complete Description of the Subjects and Issues Involved:** Amendments are made to change catch and size limits; site specific fishing regulations by fish species and group; bait fishing regulations; and fishing tournament permits. Language concerning statewide regulations for bullfrogs is deleted and will be regulated by 17 Ill. Adm. Code 800.
- 6) Will this rulemaking replace any existing rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rule may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price  
 Department of Natural Resources  
 524 S. Second Street  
 Springfield, IL 62701-1787  
 217/782-1809

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis: These amendments do not affect small businesses, small municipalities or not for profit corporations.
- 13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: The Department neglected to file a regulatory agenda on this Part.
- The full text of the Proposed Amendments begins on the next page:

- 1) **Heading of the Part:** Sport Fishing Regulations for the Waters of Illinois  
 2) **Code Citation:** 17 Ill. Adm. Code 810  
 3) **Proposed Action:**  
     Amendments  
     Amendments  
     Amendments  
     Amendments  
     Repeals  
     Amendments
- 4) **Statutory Authority:** Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-50, 10-75, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code 15.5 TCS 5.1-120, 1-125, 1-150, 5-5, 10-5, 10-15, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5]
- 5) **Complete Description of the Subjects and Issues Involved:** Amendments are made to change catch and size limits; site specific fishing regulations by fish species and group; bait fishing regulations; and fishing tournament permits. Language concerning statewide regulations for bullfrogs is deleted and will be regulated by 17 Ill. Adm. Code 800.
- 6) Will this rulemaking replace any existing rulemaking currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rule may be submitted in writing for a period of 45 days following publication of this notice to:



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- 3) MUSKELLINGUE, NORTHERN PIKE AND THEIR HYBRIDS
- A) All muskellunge and muskellunge hybrids (tiger muskie) taken must be 36 inches in total length or longer, except as specified under Site Specific Regulations.
- B) No more than 1 muskellunge or muskellunge hybrid (tiger muskie), either singly or in the aggregate, may be taken per day, except as specified under Site Specific Regulations.
- C) All northern pike taken must be 26 inches in total length or longer, except in the Mississippi River and Ohio River where there is no size limit.
- D) No more than 3 northern pike may be taken per day, except as specified under Site Specific Regulations.
- 4) CRAPPIE (WHITE, BLACK OR HYBRID CRAPPIE)
- There are no catch or size limits except in those waters listed under Site Specific Regulations.
- 5) BULLDOG AND REDEAR SUNFISH
- There are no catch or size limits except in those waters listed under Site Specific Regulations.
- 6) STRIPED BASS (OCEAN ROCKFISH), WHITE BASS AND CYPRIDS
- There are no daily catch limits or minimum size limits for striped bass (ocean rockfish), white bass, and their hybrids, which are less than 17 inches in total length, except in those waters listed under Site Specific Regulations. For these fish 17 inches in total length or longer, the daily limit is 3 fish, either singly or in the aggregate.
- 7) TROUT AND SALMON
- Daily catch limit is 5 trout or salmon, either singly or in the aggregate.
- 8) WALLEYE, SAUGER OR THEIR HYBRID
- Daily catch limit is walleye, sauger or their hybrid, either singly or in the aggregate, except in those waters listed under Site Specific Regulations. There is no size limit except in those waters listed under Site Specific Regulations.
- 9) RIVER RUFFE
- There are no catch or size limits. Possession of living river ruffe is prohibited.
- 10) GOBIES (ROUND, TUBENOSE)
- There are no catch or size limits. Possession of living gobies is prohibited.
- 11) RUSTY CRAPPIE
- Possession of living rusty crappie is prohibited for all except the holder of an acreage or aquaculture permit with a letter of authorization to import/cross this species.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- a) Site Specific Regulations are listed by water area affected. The coverage of the regulation is dictated by the extent of the water area listed and not by the county. In some cases, regulations for the water area or lake may extend beyond the county(ies) listed. The counties(ies) listed refer to the location of the dam or outlet for impoundments or mouths of small streams. Since large rivers or streams usually flow through many counties, the term "multiple" is used rather than listing all counties where the large stream or river flows.
- b) The subsections listed below are referred to by number in Section 810.45. Each water area listed in Section 810.45 has numbers in parenthesis which explain all of the definitions in this Section which apply to that water area.
- 1) Anglers must not use more than 2 poles and each pole must not have more than 2 hooks or lures attached while fishing, except that legal size cast nets, (in accordance with subsection 810.5(a)(1)) shall scope, and minnow seines may be used to obtain shad, minnows, and crayfish to use as bait, provided that they are not solid.
- 2) Possession of yellow perch under 8 inches in total length or over 10 inches in total length is prohibited. Only yellow perch 8 to 10 inches in total length may be harvested, includes whitebait, black or hybrid crappie singly or in the aggregate.
- 3) All largemouth and smallmouth bass taken must be less than 12 inches in total length or greater than 15 inches in total length. Except that sport fishermen shall be allowed to use trotlines and jugs, and accept that the use and aid of underwater breathing devices is prohibited. West of Wolf Creek Road, Fishing From boats is permitted all year. Trotlines/jugs must be removed from sunrise until sunset from Memorial Day through Labor Day. East of Wolf Creek Road, Fishing from boats is permitted from March 15 through September 30. Fishing from the bank is permitted all year only at the Wolf Creek and Route 148 causeways. On the entire lake, jugs and trotlines must be checked daily and must be removed on the last day they are used. It is illegal to use stakes to anchor any trotlines; they must be anchored only with portable weights and must be removed on the last day they are used. The taking of carp and buffalo with hook and arrow is permissible.
- 4) Except that sport fishermen may take carp, catfishers, buffalo, gar, bowfin and suckers by pitfork, gigs, bow and arrow or bow and arrow devices.
- 5) Including the Fox River south of the Illinois-Wisconsin line to the McHenry Dam.
- 6) Except that sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs or spears during May and June.
- 7) Daily catch limit includes Striped Bass, White Bass, Yellow Bass and Hybrid Striped Bass either singly or in the aggregates.

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- 9) Catch and Release Fishing Only means that fish (all or identified species) caught must be immediately released alive and in good condition back into the water from which it came.
- 10) It shall be illegal to possess trout during the period of October 1 to 5 a.m. on the third Saturday in October both dates inclusive which were taken during that period.
- 11) It shall be illegal to possess trout during the period of March 15 to 5 a.m. on the 1st Saturday in April (both dates inclusive) which were taken during that period.
- 12) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 6 fish per day, no more than one of which shall be greater than 15 inches in length and none of which shall be greater than 12 inches and less than or equal to 15 inches in length.
- 13) Except that jug fishing is permitted from the hours of sunset to sunrise, and except that carp and buffalo may be taken by hook and arrow devices from May 1 through September 30. All jugs must have owner's user's name and complete address affixed.
- 14) Daily catch limit includes all fish species (either singly or in groupings) caught within each of the following fish groups:
- A) Largemouth or Smallmouth Bass
  - B) Walleye, Sauger, or their hybrid
  - C) Bluegill or redear Sunfish
- 15) Daily catch limit includes white, black, or hybrid crappie either singly or in the aggregate.
- 16) Daily catch limit includes Striped Bass, White Bass and Hybrid Striped Bass either singly or in the aggregate.
- 17) Daily catch limit shall not exceed 10 fish daily, no more than 3 of which may be 17 inches or longer in length.
- 18) Except that sport fishermen shall be allowed to use trout lines, jugs and bank poles in the portions of the lake that lie north of the Davenport Bridge and northeast of the Parnell Bridge.
- 19) No fishing within 250 yards of an occupied waterfront (within the hunting area) on all Department-owned or -managed sites.
- 20) Carlyle Lake (including its tributary streams and those portions of the Kaskaskia River and Hurricane Creek up the U.S. Army Corps of Engineers Carlyle Lake Project boundaries), U.S. Army Corps of Engineers, Bond, Clinton, and Fayette Counties.
- 21) Lake Shelbyville (including its tributary streams and those portions of the West Okaw and Kaskaskia Rivers up to Lake Shelbyville Project boundaries), East-Saburbite-project Ronds and Woods-Faker U.S. Army Corps of Engineers, Shelby and Moultrie Counties.
- 22) Bend Lake (including its tributary streams and those portions of the Big Muddy and Casey Fork Rivers up to the Rend Lake Project boundaries), Rend Lake Project Ronds, U.S. Army Corps of Engineers.

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Engineers, Franklin and Jefferson Counties.
- 23) Lake Vermillion and the portion of the North Fork of the Vermillion River between the Lake Vermillion Dam and the Interstate Water Company's Pump Station Spillway, Vermillion County Conservation District, Vermillion County.
- 24) 10 Fish Daily Creel Limit of which no more than 6 may be walleye.
- 25) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish daily, no more than one of which may be equal to or greater than 15 inches in total length and no more than 2 of which may be less than 15 inches in total length.
- 26) Lake Vermillion - Trot line and jug fishing allowed north of Boiling Springs Road.
- 27) Except that bank fishing is prohibited. Boat fishing is permitted from the next to last Saturday in April until the second Sunday in October during the hours of 6:00 a.m. to 10:00 a.m. and 3:00 p.m. to 8:00 p.m.
- 28) Except that trotlines may be set within 300 feet from shore.
- 29) Except that carp, buffalo, suckers and carpsuckers may be taken by means of pitchforks and gags (no bow and arrow devices).
- 30) Fishing is permitted from March 15 through September 30, both dates inclusive, from sunrise to sunset. Fishing during all other times of the year is illegal and not permitted.
- 31) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish daily, no more than one of which may be equal to or greater than 15 inches in total length and no more than 2 of which may be less than 12 inches in total length.
- 32) Daily catch limit includes Striped Bass, White Bass, Yellow Bass and Hybrid Striped Bass, either singly or in the aggregate, no more than 4 of which may be 15 inches or longer in length.
- 33) It shall be unlawful to enter upon a designated waterfront hunting area during the 7 days prior to the waterfront season, or to fish on such areas during the regular waterfront season except in areas posted as open to fishing. It shall be unlawful to enter upon areas designated as waterfront rest areas or refuges from 2 weeks prior to the start of the regular waterfront season through the end of waterfront season.
- 34) Except that sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gills, or spears from May 1 through August 31.
- 35) Daily catch limit for Walleye, Sauger, or Hybrid Walleye, singly or in the aggregate, shall not exceed 3 fish daily, no more than one of which may be greater than 24 inches in total length and no more than 2 of which may be less than 18 inches in total length and greater than or equal to 14 inches in total length.
- 36) Except that sport fishermen may not use a minnow seines for bait collecting in Cook County Forest Preserve District Waters (except

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- 37) All largemouth and smallmouth bass taken must be less than 12 inches in total length or greater than 16 inches in total length. Only 1 bass greater than 6 inches and 2 bass less than 12 inches may be taken in the creel daily.
- 38) All largemouth and smallmouth bass taken must be less than 14 inches in total length or greater than 16 inches in total length. Only 1 bass greater than 8 inches and 5 bass less than 14 inches may be taken in the creel daily.
- 39) Powerton Lake shall be closed to boat traffic from October 1 to February 15, except for legal waterfowl hunters, and closed to all unauthorized entry during the waterfowl season.
- 40) The 18 inch total length limit on bluegill applies to that body of water listed as well any tailwaters as defined below:

Evergreen Lake (McLean County) - including the portion of Six Mile Creek below the Evergreen Lake Dam downstream to its confluence with the Machinaw River.

Fox Chain O' Lakes (Lake/McHenry Counties) - Inclusion those portions of the Fox River below the McHenry Dam downstream to the Route 176 Bridge and upstream to the Wisconsin - Illinois State line.

Kinkaid Lake (Jackson County) - including the portion of Kinkaid Creek below the Kinkaid Lake Dam downstream to the Route 149 Bridge.

Lake Shelbyville (Montgomery/Shelby Counties) - including the portion of the Kaskaskia River below the Lake Shelbyville Dam downstream to the State Route 128 Road Bridge near Cowden.

Lake Vermilion (Vermilion County) - including the portion of the North Fork of the Vermilion River below the Lake Vermilion Dam downstream to its confluence with the Vermilion River.

Otter Lake (Macoupin County) - including the portion of Otter Creek below Otter Lake Dam downstream to its confluence with East Otter Creek.

Pierce Lake (Winnipeg County) - including the portion of Willow Creek below the Pierce Lake Dam downstream to Forest Hills Road.

Shabbona Lake (DeKalb County) - including that portion of Indian Creek below the Shabbona Lake Dam downstream to Shabbona Grove Road.

## ILLINOIS REGISTER

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Spring Lakes (North and South) (Tazewell County) - no tailwaters.  
 (Source: Asended at 21 Ill. Reg. \_\_\_\_\_)  
 \_\_\_\_\_, effective \_\_\_\_\_,

## Section 810.45 Site Specific Water Area Regulations

Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parentheses refer to the corresponding numbered definitions in Section 810.37 of this Part. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.

Allison Lake, City of Lincoln  
 Logan County  
 All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

Anderson Lake Fish and Wildlife Area (33)

Fulton County

Andover Lake, City of Andover

Henry County

All Fish

Channel Catfish

Apple River  
 Jo Daviess County

Trot

Apple River

Jo Daviess County

Trout

- Spring Closed Season (11)

Apple River Basin - Special Management Zone (within the boundaries of Apple River Canyon State Park, including tributaries)  
 Jo Daviess County  
 All Fish

- 2 Pole and Line Fishing Only (1)  
 - 14" Minimum Length Limit

-----Bass+4

-----Bass+4

-----Bass+4

-----Bass+4

-----Bass+4

-----Bass+4

Argyle Lake, Argyle Lake State Park  
 McHenry County  
 All Fish

Bluegill or Redear

Sunfish (14)

Channel Catfish

All Fish

Bluestripe Shiner

Trout

- 2 Pole and Line Fishing Only (1)  
 - 10 Fish Daily Creel Limit  
 - 6 Fish Daily Creel Limit  
 - 1 Fish more than 15" and/or  
 5 less than 12" Daily (12)  
 - Fall Closed Session (10)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Walleye, Sauger or Hybrid  
Walleye, Black, or Hybrid  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie

Ashland City Reservoir, City of Ashland  
Cass County

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass

Ashley Reservoir, City of Ashley

Washington County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass

Auburn Park Lagoon, Chicago Park District  
Cook County

All Fish

Channel Catfish

Axhead Lake, Cook County Forest Preserve  
Cook County

All Fish  
Large or Smallmouth Bass  
Trout

Trout

Baker Lake, City of Peru  
LaSalle County  
All Fish  
Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Large or Smallmouth Bass

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Striped Bass (16)  
white, Black, or Hybrid  
Crappie (15)  
white, Black, or Hybrid  
Crappie

Banana Lake, Lake County Forest Preserve District  
Lake County

All Fish  
Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
Trout

Trout

Banner Marsh Lake & Ponds, Banner Marsh State Fish and Wildlife Area (33)  
Peoria/Pontiac Counties

All Fish  
Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid  
Walleye

White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie

Bathtown Wildlife Management Area (33)  
Calhoun County

Bausann Park Lake, City of Cherry  
Valley  
Winnebago County

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Large or Smallmouth Bass  
Large or Smallmouth Bass

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie

Banana Lake, Lake County Forest Preserve District  
Lake County

All Fish  
Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
Trout

Trout

Banner Marsh Lake & Ponds, Banner Marsh State Fish and Wildlife Area (33)  
Peoria/Pontiac Counties

All Fish  
Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid  
Walleye

White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie

Bathtown Wildlife Management Area (33)  
Calhoun County

Bausann Park Lake, City of Cherry  
Valley  
Winnebago County

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Large or Smallmouth Bass  
Large or Smallmouth Bass

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

**Beaver Dam Lake, Beaver Dam State Park**  
Macoupin County  
All Fish  
Bluegill or Redear Sunfish (14)

- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Trout  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie

**Beck Lake, Cook County Forest Preserve District**  
Cook County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Walleye

- 2 Pole and Line  
Fishing Only (1)(36)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 18" Minimum Length Limit  
**Belleau Lake, Cook County Forest Preserve District**  
Cook County  
All Fish  
Large or Smallmouth Bass  
Trout  
Trout

- 2 Pole and Line Fishing Only (36)  
- 14" Minimum Length Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)  
**Bevier Lagoon, Waukegan Park District**  
Lake County  
All Fish  
Channel Catfish

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
Tazewell County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

**Boron Lake, City of Olney**

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

**Richland County**  
All Fish  
Channel Catfish  
Large or Smallmouth Bass

Boston Pond, Stephen A. Forbes State Park  
Marion County  
Trout

Braidwood Lake -Mazonia--Bakes--and-Ponday-Mazonia-Braidwood State Fish and Wildlife Area (33)

Brundidge Hill County  
(Braidwood Lake is closed to all fishing and boat traffic, except for legal waterfowl hunters, from 2 weeks prior to duck season through the day before duck season and is closed to all fishing with duck season.)

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Clinton County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Diamond Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Eldorado Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Fox Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Glen Carbon Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Hopkins Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Kingsley Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Lake of the Woods, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Long Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Mackinaw Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

McKee Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Monroe Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

North Branch Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

North Branch Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

North Branch Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

North Branch Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

North Branch Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

**Richland County**  
All Fish  
Channel Catfish  
Large or Smallmouth Bass

Boston Pond, Stephen A. Forbes State Park  
Marion County  
Trout

Braidwood Lake -Mazonia--Bakes--and-Ponday-Mazonia-Braidwood State Fish and Wildlife Area (33)

Brundidge Hill County  
(Braidwood Lake is closed to all fishing and boat traffic, except for legal waterfowl hunters, from 2 weeks prior to duck season through the day before duck season and is closed to all fishing with duck season.)

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Clinton County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Diamond Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Fox Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Glen Carbon Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Hopkins Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Kingsley Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Lake of the Woods, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

McKee Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Monroe Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

North Branch Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

North Branch Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

North Branch Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

North Branch Lake, Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Charleston Lower Channel Lake, City of Charleston  
Coles County  
All Fish

Charleston Side Channel Lake, City of Charleston  
Coles County  
All Fish

Charlie Brown Lake & Pond, City of Flora  
Clay County  
All Fish

Charter Oak North - Peoria Park District Lake, Peoria Park District  
Peoria County  
All Fish

Charter Oak South - Peoria Park District Pond, Peoria Park District  
Peoria County  
All Fish

Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass (16)

Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass  
Large or Smallmouth Bass

Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass  
Large or Smallmouth Bass

Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass  
Large or Smallmouth Bass

2 Pole and Line Fishing Only (1)  
6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 1 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)  
6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 17" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)  
6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)  
6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 15" Minimum Length Limit

- 1 Fish Daily Creel Limit

2 Pole and Line Fishing Only (1)  
6 Fish Daily Creel Limit  
- 15" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

All Fish Daily Creel Limit  
- 1325 Fish Daily Creel Limit  
- 8" to 10" Barbel Slot Length Limit (2) Under "a" or over 10" is Prohibited

Perch Under "a" or over 10" is Prohibited

- Closed During June

Yellow Perch  
Yellow Perch

Yellow Perch

Citizen's Lake, City of Monmouth  
Warren County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Trot

Clear Lake, Kickapoo State Park  
Vermilion County  
All Fish  
Channel Catfish  
Trout

Clinton Lake, Clinton Lake State Recreation Area (19)  
DeWitt County  
All Fish

Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass  
Striped Bass (16)

Walleye or Sanger  
White, Black, or Hybrid  
Crappie (13)  
White, Black, or Hybrid  
Crappie

Coffeen Lake, Coffeen Lake State Fish and Wildlife Area  
Montgomery County  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie

Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Chauncey Marsh (19)

Lawrence County

Chicago River (including its North Branch, South Branch, and the North Shore Channel)  
Cook County

- 2 Pole and Line Fishing Only (1)  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- Fall Closed Season (10)

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- Fall Closed Season (10)

- Spring Closed Season (11)

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Striped, White, or Hybrid  
Striped Bass (16) - 3 Fish Daily Creel Limit

Coles County Airport Lake, Coles County Airport

Coles County All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length LimitColes Scout Pond, State of Illinois  
Whitewater County TroutColumbus Park Lagoon, Chicago Park District  
Cook County All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel LimitCook Co., P.D. Lakes, Cook County Forest Preserve District  
Cook County All Fish - 2 Pole and Line Fishing Only (1)  
Large or Smallmouth Bass - 14" Minimum Length LimitCoulterville City Lake, City of Coulterville  
Randolph County All Fish - 2 Pole and Line Fishing Only (1)  
Channel CatfishCrab Orchard National Wildlife Refuge - Crab Orchard Lake, U.S. Fish and Wildlife Service (19)  
Williamson County All Fish - 2 Pole and Line Fishing Only (1)(4)Striped, White, or Hybrid  
Striped Bass (16) - 10 Cee/3 Fish 17" or Longer Daily  
Large or Smallmouth Bass - 15" Minimum Length LimitCrab Orchard National Wildlife Refuge - Devil's Kitchen Lake, U.S. Fish and Wildlife Service (19)  
Williamson County All Fish - 2 Pole and Line Fishing Only (1)Crab Orchard National Wildlife Refuge - Little Grass Lake, U.S. Fish and Wildlife Service (19)  
Williamson County All Fish - 2 Pole and Line Fishing Only (1)  
Channel CatfishCrystal Lake, Urbana Park District  
Champaign County All Fish - 2 Pole and Line Fishing Only (1)Dawson Lake & Park Ponds, Moraine View State Park  
McLean County All Fish - 2 Pole and Line Fishing Only (1)Dwight Lake, Urbana Park District  
Champaign County All Fish - 2 Pole and Line Fishing Only (1)

Elliott Lake, Champaign County All Fish - 2 Pole and Line Fishing Only (1)

Fleming Lake, Champaign County All Fish - 2 Pole and Line Fishing Only (1)

Glenwood Lake, Champaign County All Fish - 2 Pole and Line Fishing Only (1)

Hartman Lake, Champaign County All Fish - 2 Pole and Line Fishing Only (1)

Hickory Lake, Champaign County All Fish - 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Large or Smallmouth Bass - 12-15" Slot Length Limit (3)

Crab Orchard National Wildlife Refuge, U.S. Fish and Wildlife Service Williamson County All Fish

Large or Smallmouth Bass - 14" Minimum Length Limit

Crab Orchard National Wildlife Refuge, U.S. Fish and Wildlife Service Williamson County All Fish (30)

Large or Smallmouth Bass - 15" Minimum Length Limit

Crab Orchard National Wildlife Refuge, U.S. Fish and Wildlife Service Williamson County All Fish

Large or Smallmouth Bass - 16" Minimum Length Limit

Crab Orchard National Wildlife Refuge, U.S. Fish and Wildlife Service Williamson County All Fish

Large or Smallmouth Bass - 17" Minimum Length Limit

Crab Orchard National Wildlife Refuge, U.S. Fish and Wildlife Service Williamson County All Fish

Large or Smallmouth Bass - 18" Minimum Length Limit

Crab Orchard National Wildlife Refuge, U.S. Fish and Wildlife Service Williamson County All Fish

Large or Smallmouth Bass - 19" Minimum Length Limit

Crab Orchard National Wildlife Refuge, U.S. Fish and Wildlife Service Williamson County All Fish

Large or Smallmouth Bass - 20" Minimum Length Limit

Crab Orchard National Wildlife Refuge, U.S. Fish and Wildlife Service Williamson County All Fish

Large or Smallmouth Bass - 21" Minimum Length Limit

Crab Orchard National Wildlife Refuge, U.S. Fish and Wildlife Service Williamson County All Fish

Large or Smallmouth Bass - 22" Minimum Length Limit

Crab Orchard National Wildlife Refuge, U.S. Fish and Wildlife Service Williamson County All Fish

Large or Smallmouth Bass - 23" Minimum Length Limit

Crab Orchard National Wildlife Refuge, U.S. Fish and Wildlife Service Williamson County All Fish

Large or Smallmouth Bass - 24" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Crappie (15) - 15 Fish Daily Creel Limit

Decatur Park Dist., Ponds, City of Decatur

Macon County - 2 Pole and Line Fishing Only (1)  
All Fish - 6 Fish Daily Creel Limit

Channel Catfish

Defiance Lake, Moraine Hills State Park

McHenry County - 2 Pole and Line Fishing Only (1)  
All Fish - 14 Minimum Length Limit  
Channel Catfish  
Large or Smallmouth Bass (14)

Des Plaines River Basin - Special Management Zone, (Bonneau Dam to 47th Street Bridge, including tributaries)

Cook County - 15" Minimum Length Limit  
Channel Catfish  
Large or Smallmouth Bass

Northern Pike

White, Black, or Hybrid Crappie (15)

White, Sauger, or Hybrid Walleye

Hybrid Walleye

Hybrid Walleye, Saurer, or White, Black, or Hybrid Walleye

Des Plaines River Conservation Area (19)

Will County

Dixon-Springs Ag-Center-Ponds-Bixom-Springs-Ag-Center  
----Pope County  
----Groat  
----Groat

Dog Island Wildlife Management Area (19)

Pope County

- 6 Fish Daily Creel Limit

- 3 Fish Daily Creel Limit

- 10 Fish Daily Creel Limit

- 18" Minimum Length Limit

- 1 Fish Daily Creel Limit

- 18" Minimum Length Limit

- 1 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 14" Minimum Length Limit

---Fall-Closed-Season-(tba)  
---Spring-Closed-Season-(tba)

Bixom-Springs Ag-Center-Ponds-Bixom-Springs-Ag-Center  
----Pope County  
----Groat  
----Groat

Dog Island Wildlife Management Area (19)

Pope County

Dolan Lake, Hamilton County Conservation Area

Hamilton County

All Fish

Channel Catfish

Large or Smallmouth Bass

Walleye, Saurer, or Hybrid Walleye

White, Black, or Hybrid Walleye

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Donnelley State Wildlife Area (33)

Bureau County

Douglas Park Lagoon, Chicago Park District

Cook County - 2 Pole and Line Fishing Only (1)  
All Fish - 6 Fish Daily Creel Limit

Channel Catfish

DuPage County Forest Preserve District Lakes and Ponds, DuPage County Forest Preserve District

DuPage County - 2 Pole and Line Fishing Only (1)  
All Fish - 6 Fish Daily Creel Limit  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

DuPage River - West Branch (between the dams located in the McDowell Grove Forest Preserve and the Warrenville Grove Forest Preserve)

DuPage County - Catch and Release Fishing Only (9)

DuPage River, City of Oley

Richland County

All Fish

Channel Catfish

Large or Smallmouth Bass

Walleye, Saurer, or Hybrid Walleye  
White, Black, or Hybrid Crappie (15)

Eldon Hazlet State Park (19) (See Also Carlyle Lake)

Clinton County

Elliott Lake, Wheaton Park District

DuPage County

All Fish

Channel Catfish

Large or Smallmouth Bass

Pure Muskellunge  
Walleye, Saurer, or Hybrid Walleye  
White, Black, or Hybrid Walleye

Evergreen Lake, City of Bloomington

McLean County

Large or Smallmouth Bass

Pure Muskellunge  
Walleye, Saurer, or Hybrid Walleye  
White, Black, or Hybrid Walleye

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Crappie (15)

Paries Park Pond, City of Decatur  
Macon County - 25 Fish Daily Creel Limit

Ferne Clyffe Lake, Ferne Clyffe State Park  
Johnson County All Fish Channel Catfish - Fall Closed Season (10)

Ferne Clyffe Lake, Ferne Clyffe State Park  
Johnson County All Fish Channel Catfish - 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
Trout - Fall Closed Season (10)

Flatfoot Lake, Cook County Forest Preserve District  
Cook County All Fish Channel Catfish - Spring Closed Season (11)

Foli Park Pond, Village of Pana  
Kendall County All Fish Channel Catfish - 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit

Forbes State Park Ponds, Stephen A. Forbes State Park  
Marion County All Fish Channel Catfish - 2 Pole and Line Fishing Only (1)(5)

Forest Park Lagoon, City of Shelbyville  
Shelby County All Fish Channel Catfish - 6 Fish Daily Creel Limit  
Trout - Fall Closed Season (10)

Forest Park Lagoon, City of Shelbyville  
Shelby County All Fish Channel Catfish - Spring Closed Season (11)

Fort de Chartres Historic Site (19)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Randolph County

Four Lakes, Winnebago County Forest Preserve  
Winnebago County All Fish Channel Catfish

Fox Chain O'Lakes (including the Fox River south of the Wisconsin-Illinois boundary to the McHenry Dam) (6) (Applies to Grass Lake and Nipperk Lake State Managed Blind Areas Only (19)), State of Illinois Lake and McHenry Counties Large or Smallmouth Bass - 14" Minimum Length Limit (6)  
Pike Muskelunge, Walleye, Sauger, or Hybrid Walleye - 18" Minimum Length Limit (40)

Fox River, State of Illinois  
Kane County Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye - 18" Protected Slot Length Limit (no possession) (6)

Grove River, State of Illinois  
Kane County Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye - 18" /or 18" &/or 19" &/or 20" Daily Creel Limit (35)

Hopewell River, State of Illinois  
Kane County Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye - 18" &/or 19" &/or 20" Daily Creel Limit (35)

Illinoian River, State of Illinois  
Kane County Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye - 18" &/or 19" &/or 20" Daily Creel Limit (35)

Kankakee River, State of Illinois  
Kane County Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye - 18" &/or 19" &/or 20" Daily Creel Limit (35)

Kane Creek, State of Illinois  
Kane County Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye - 18" &/or 19" &/or 20" Daily Creel Limit (35)

Kane Creek, State of Illinois  
Kane County Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye - 18" &/or 19" &/or 20" Daily Creel Limit (35)

Kane Creek, State of Illinois  
Kane County Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye - 18" &/or 19" &/or 20" Daily Creel Limit (35)

Kane Creek, State of Illinois  
Kane County Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye - 18" &/or 19" &/or 20" Daily Creel Limit (35)

Kane Creek, State of Illinois  
Kane County Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye - 18" &/or 19" &/or 20" Daily Creel Limit (35)

Kane Creek, State of Illinois  
Kane County Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye - 18" &/or 19" &/or 20" Daily Creel Limit (35)

Kane Creek, State of Illinois  
Kane County Large or Smallmouth Bass - 14" Minimum Length Limit  
Walleye - 18" &/or 19" &/or 20" Daily Creel Limit (35)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

**Trout**  
**Trout**

- Fall Closed Season (10)
- Spring Closed Season (11)

**Franklin Creek (within the boundaries of Franklin Creek State Natural Area)**

**Lee County**  
**All Fish**  
**-----Bass or Smallmouth Bass**  
**-----Bass or Smallmouth Bass**  
**-----Bass (11)**

- 2 Pole and Line Fishing Only (1) (9)  
 - 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

**Fulton County Camping and Recreation Area Waters - Fulton County Board**

**Fulton County**  
**All Fish**  
**Channel Catfish**  
**Lake or Smallmouth Bass**  
**Lake or Smallmouth Bass**  
**Bass (11)**  
**Bluegill or Redear Sunfish (4)**

- 2 Pole and Line Fishing Only (1)
- 12"-15" Protected Slot Length Limit (no possession)
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit

**Gales Lake, Wildwood Park District**

**Lake County**  
**All Fish**  
**Lake or Smallmouth Bass**  
**Lake or Smallmouth Bass**  
**Bass (14)**  
**Walleye, Sauger, or Hybrid Walleye**

- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 16" Minimum Length Limit

**Gale Lake, Village of East Galesburg**

**Knox County**  
**All Fish**  
**Bluegill or Redear Sunfish (14)**  
**Channel Catfish**  
**Lake or Smallmouth Bass**  
**Lake or Smallmouth Bass (14)**  
**Walleye, Sauger, or Hybrid Walleye**

- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

**Garfield Park Lagoon, Chicago Park District**

**Cook County**  
**All Fish**  
**Channel Catfish**

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

**Gebhard Woods Ponds, Gebhard Woods State Park**

**Grundy County**

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

**All Fish**  
**Channel Catfish**  
**Trout**

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Spring Closed Season (11)

**Giant City Park Ponds, Giant City State Park**  
**Jackson and Union Counties**  
**Largemouth and Spotted Bass**

**Gillespie New City Lake, City of Gillespie**  
**Macoupin County**

- 15" Minimum Length Limit

**Gillespie Old City Lake, City of Gillespie**  
**Macoupin County**

- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit

**Gillespie New City Lake, City of Gillespie**  
**Macoupin County**

- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit

**Gillespie Old City Lake, City of Gillespie**  
**Macoupin County**

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

**Glades - 12 Mile Island Wildlife Management Area (33)**  
**Jersey County**

**Gladstone Lake, Henderson County Conservation Area**  
**Henderson County**

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

**All Fish**  
**Channel Catfish**  
**Lake or Smallmouth Bass (14)**

- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

**Gladstone Lake, Peoria Park District**  
**Peoria County**

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

**All Fish**  
**Bluegill or Redear Sunfish (14)**  
**Channel Catfish**  
**Lake or Smallmouth Bass (14)**

- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit

**Glen Shallows Lake, City of Hillsboro**  
**Montgomery County**

- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

**Lake or Smallmouth Bass (14)**

- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

**Glen Oak Park Lagoon, Peoria Park District**  
**Peoria County**

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

**All Fish**  
**Channel Catfish**

- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit

**Glen Shoals Lake, City of Hillsboro**  
**Montgomery County**

- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

**Lake or Smallmouth Bass (14)**

- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

**Godar-Diamond/Hurricane Island Wildlife Management Area (33)**  
**Calhoun County**

DEPARTMENT OF NATURAL RESOURCES

GAMIFICATION

Waukegan Park Lagoon, Chicago Park District Cook County	All Fish Channel Catfish	- 2 Pole and Line Fishing Only (1) - 6 Fish Daily Creel Limit
Madison County	All Fish Bluegill or Redear Sunfish (1) Channel Catfish Large or Smallmouth Bass Bass (14)	- 2 Pole and Line Fishing Only (1) - 25 Fish Daily Creel Limit - 6 Fish Daily Creel Limit - 15" Minimum Length Limit - 3 Fish Daily Limit
Jefferson County		
Benton County		
Washington County		
Franklin County		
Greeneville County		
Gilmer County		
Pleasant Valley County		
Sevier County		
Sequatchie County		
Blount County		
Campbell County		
Clinton County		
Decatur County		
Greene County		
Harrison County		
Jefferson County		
Knox County		
Lake County		
McMinn County		
Morgan County		
Perry County		
Rhea County		
Roane County		
Sevier County		
Union County		
Unicoi County		
Whitley County		
Wilkes County		
White County		
Watauga County		
Washington County		
Wayne County		
Yuecahoga County		
Ziggy County		

<b>All Fish</b>	<b>- 2 Pole and Line Fishing - Only (1) (5) - 6 Fish Daily Creel Limit - 15" Minimum Length Limit - 3 Fish Daily Creel Limit - 17" Minimum Length Limit</b>
Channel Catfish	
Large or Seafinmouth Bass	
Large or Seafinmouth Bass	
Large or Seafinmouth Bass	
Striped, White, or Hybrid	
Striped Bass	
Striped, White, or Hybrid	
Striped Bass (16)	<b>- 3 Fish Daily Creel Limit</b>
<b>Graylake Park District (Graylake and Park Ponds)</b>	
<b>Keweenaw County</b>	

- 2 Pole and Line Fishing Only [1]
- 6 Fish Daily Creel Limit
- 15' Minimum Length Limit

*greenfield City Lake, City of Greenfield*  
Bass (14) = 3 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Creel Limit

Greenville Old City Lake, City of Greenville  
and County All Fish = 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit
- Fall Closed Season (10)

Harrisburg New City Reservoir, City of Harrisburg  
Adams County

DEPARTMENT OF NATURAL RESOURCES

卷之三

卷之三

All Fish	- 2 Pole and Line Fishing Only - 6 Fish Daily Creel Limit
Channel Catfish	- 17" Minimum Length Limit
White, or	
Hybrid Striped Bass	
Striped White or	
Hybrid Striped Bass (16")	- 3 Fish Daily Creel Limit
Harrisburg Holding Pits North and South, City of Harrisburg	
All Fish	- 2 Pole and Line Fishing Only - 6 Fish Daily Creel Limit
Channel Catfish	
Heidecke Lake State Fish and Wildlife Area	
All Fish	
Heidecke Lake	- All fishing and boat traffic except for legal waterfowl hunting shall be closed to all fishing and boat traffic except for legal waterfowl hunting from 2 weeks prior to duck season until the close of waterfowl season.
Linn County	
Undy County (131)	

All Fish	F - Pote & Channel Catfish L - Large or Smallmouth Bass S - Spotted Shiner, or Hybrid B - Striped Bass (14")	E - Eel & Bullhead P - 3 Fish Daily Creel Limit L - 18" Minimum Length Limit S - 3 Fish Daily Creel Limit B - 10 Creel/3 Fish 17" or Longer - Daily (17)
Walleye, Sauger, or Hybrid		- 22" Minimum Length Limit
Walleye		- 3 Fish Daily Creel Limit
Sauger		
Walleye	(14")	
		W - Walleye Sturgeon

*Hennepin Canal-Mainline & Feeder, Hennepin Canal Parkway State Park  
Hennepin County  
Multiple Counties*

All Fish	- 2 Pole and Line Fishing Only (1) (13)
Trout on Smallmouth Bass	- 14" Minimum Length Limit

Wedge	Ok	Small mouth brook	A-4	Crystalline Sediments
Trout	Ok	Small mouth brook	-	Closed Season (10)
Trout	Ok	Small mouth brook	-	Closed Season (11)

— Walleye, Sauger, or Hybrid Walleye — 14" Minimum Length Limit

## **Hidden Springs State Forest Ponds, Hidden Springs State Forest Shelby County**

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear	- 10 Fish Daily Creel Limit
Sunfish (14)	- 6 Fish Daily Creel Limit
Channel Catfish	- 10 Fish Maximum, 7 inches Minimum
Common Carp	- 10 Fish Maximum, 10 inches Minimum

## DEPARTMENT OF NATURAL RESOURCES

96

## NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass	- 1 Fish Daily Creel Limit
Highland Old City Lake, City of Highland	
Madison County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
Channel Catfish	- 12-15" Slot Length Limit (3)
TROUT	- Fall Closed Season (10)
Hillsboro Old City Lake, City of Hillsboro	
MONTGOMERY COUNTY	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
CHANNEL CATFISH	- 12-15" Slot Length Limit (3)
LARGE OR SMALLMOUTH BASS	
Homer Lake, Champaign County Forest Preserve District	
CHAMPAIGN COUNTY	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
LARGE OR SMALLMOUTH BASS	- 14" Minimum Length Limit
BUREAU COUNTY	- 2 Pole and Line Fishing
ALL FISH	- Only (1)(5)
CHANNEL CATFISH	- 6 Fish Daily Creel Limit
LARGE OR SMALLMOUTH BASS	- 14" Minimum Length Limit
ALEXANDER COUNTY	- Horseshoe Lake Conservation Area
(Only trolling motors in refuge from October 5-March 1)	- 2 Pole and Line Fishing
ALL FISH	- 15J
CHANNEL CATFISH	- 6 Fish Daily Creel Limit
LARGE OR SMALLMOUTH BASS	- 14" Minimum Length Limit
HORSESHOE LAKE-MADISON COUNTY	- Horseshoe Lake State Park (33)
MADISON COUNTY	- 2 Pole and Line Fishing Only
LARGE OR SMALLMOUTH BASS	- (1)(28)(33)
LARGE OR SMALLMOUTH BASS	- 15" Minimum Length Limit
LARGE OR SMALLMOUTH BASS (14)	- 3 Fish Daily Creel Limit
WHITE, BLACK OR HYBRID CRAPPIE (15)	- 25 Fish Daily Creel Limit
BORTON LAKE, NAVOO STATE PARK	
HOCKEY COUNTY	- 2 Pole and Line Fishing Only (1)
ALL FISH	- 6 Fish Daily Creel Limit
CHANNEL CATFISH	
LARGE OR SMALLMOUTH BASS	
INDIAN BOUNDARY SOUTH POND, FRANKFORT, SCHAUMBURG PARK DISTRICT	
WILL COUNTY	- 2 Pole and Line Fishing Only (1)
ALL FISH	- 6 Fish Daily Creel Limit
CHANNEL CATFISH	
JACKSON PARK (COLUMBIA BASIN) LAGOON, CHICAGO PARK DISTRICT	
Cook County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
CHANNEL CATFISH	
JOHNSON SAUK TRAIL LAKE & POND, JOHNSON SAUK TRAIL STATE PARK	
HENRY COUNTY	- 2 Pole and Line Fishing Only (1)
ALL FISH	- 6 Fish Daily Creel Limit
CHANNEL CATFISH	
LARGE OR SMALLMOUTH BASS	
Large or Smallmouth Bass	- 14" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Hult Park Big Lake, Canton Park District	- 2 Pole and Line Fishing Only (1)
Fulton County	- All Fish
CHANNEL CATFISH	- 6 Fish Daily Creel Limit
LARGE OR SMALLMOUTH BASS	- 15" Minimum Length Limit
LARGE OR SMALLMOUTH BASS (14)	- 1 J. Fish Daily Creel Limit
Humboldt Park Lagoon, Chicago Park District	
Cook County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
CHANNEL CATFISH	
ILLINOIS & MICHIGAN CANAL, STATE OF ILLINOIS	
GRUNDY/LAKE/MILL COUNTIES	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
CHANNEL CATFISH	
ILLINOIS BEACH STATE PARK PONDS, ILLINOIS BEACH STATE PARK	
Lake County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
CHANNEL CATFISH	
ILLINOIS DEPARTMENT OF TRANSPORTATION LAKE, STATE OF ILLINOIS	
SANGAMON COUNTY	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
CHANNEL CATFISH	
TROUT	- Fall Closed Season (10)
TROUT	- Spring Closed Season (11)
ILLINOIS RIVER - POOL 26 (19)	
CALHOUN COUNTY	
INDIAN BOUNDARY SOUTH POND, FRANKFORT, SCHAUMBURG PARK DISTRICT	
WILL COUNTY	- 2 Pole and Line Fishing Only (1)
ALL FISH	- 6 Fish Daily Creel Limit
CHANNEL CATFISH	
JACKSON PARK (COLUMBIA BASIN) LAGOON, CHICAGO PARK DISTRICT	
Cook County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
CHANNEL CATFISH	
JOHNSON SAUK TRAIL LAKE & POND, JOHNSON SAUK TRAIL STATE PARK	
HENRY COUNTY	- 2 Pole and Line Fishing Only (1)
ALL FISH	- 6 Fish Daily Creel Limit
CHANNEL CATFISH	
LARGE OR SMALLMOUTH BASS	
LARGE OR SMALLMOUTH BASS	- 14" Minimum Length Limit
LARGE OR SMALLMOUTH BASS (14)	- 3 Fish Daily Creel Limit
WHITE, BLACK OR HYBRID CRAPPIE (15)	- 25 Fish Daily Creel Limit
BORTON LAKE, NAVOO STATE PARK	
HOCKEY COUNTY	- 2 Pole and Line Fishing Only (1)
ALL FISH	- 6 Fish Daily Creel Limit
CHANNEL CATFISH	

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Jones Park Lake, City of East St. Louis  
St. Clair County  
All Fish  
Channel Catfish  
Trout  
Trout

- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - Fall Closed Season (10)
  - Spring Closed Season (11)
- Jones State Lake, Saline County Conservation Area  
Saline County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 14"-18" Protected Slot Length Limit (no possession) (38)
  - 14" Minimum Length Best
  - 5 Fish under 14" and 1 Fish over 18" Daily Creel Limit
- Large or Smallmouth Bass

Jones Lake Trout Pond, Saline County Conservation Area  
Saline County  
Trout  
Trout

- Fall Closed Season (10)
- Spring Closed Season (11)

Jubilee College State Park Ponds, Jubilee College State Park  
Pecoria County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Kankakee River Basin - Special Management Zone (Wilmington Dam to the Mouth of the Kankakee River, including tributaries)  
Willow/Grundy Counties  
Large or Smallmouth Bass

- 12" - 16" Protected Slot Length Limit (no possession) (31)
- 1 Fish over 16" and 2 Fish under 18" Daily Creel Limit

Kankakee River Basin - Special Management Zone (Kankakee Dam to the Wilmington Dam, including tributaries)  
Kankakee/Hill Counties  
Large or Smallmouth Bass  
Large or Smallmouth Bass

- 14" Minimum Length Limit
- Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)

Kankakee River State Park (19)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Kankakee/Hill Counties  
Kaskaskia River & all tributaries, State of Illinois  
Multiple Counties  
Walleye, Sauger, or Hybrid

Walleye

- 14" Minimum Length Limit
- Kaskaskia River Fish and Wildlife Area (19)  
St. Clair/Randolph/Henre Counties  
Kaskaskia River Fish and Wildlife Area - Doza Creek Wildlife Management Area (33)  
St. Clair County  
Kendall Co. Lake #1, Kendall County Forest Preserve District  
Kendall County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
  - 3 Fish Daily Creel Limit
- Rent Creek  
Winnebago County  
Trout

- Spring Closed Season (11)
- Kickapoo State Park Lakes & Ponds, Kickapoo State Park  
Vermilion County  
All Fish  
Channel Catfish

- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
  - 3 Fish Daily Creel Limit
- Kinkaid Lake, Kinckaid Lake State Fish and Wildlife Area (19)  
Jackson County  
Large or Smallmouth Bass

- 12" - 16" Protected Slot Length Limit (no possession)
  - 2 Fish Under 12" and 2 Fish Over 16" Daily Creel Limit
  - 38"- 45" Minimum Length Limit (49)
  - 14" Minimum Length Limit
- Lake Atwood, McHenry County Conservation District  
McHenry County  
All Fish  
Channel Catfish

- Spring Closed Season (11)
- Lake Bloomington, City of Bloomington  
McLean County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass - 15" Minimum Length Limit  
 Striped, White, or Hybrid - 17" Minimum Length Limit  
 Striped Bass (16) - 3 Fish Daily Creel Limit  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
 White, Black, or Hybrid - 25 Fish Daily Creel Limit

Lake Carlton, Morrison Rockwood State Park  
 Whiteside County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass (14) - 14" Minimum Length Limit  
 Large or Smallmouth Bass - 36" Minimum Length Limit  
 Pure Muskellunge - 14" Minimum Length Limit  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
 White, Black, or Hybrid - 25 Fish Daily Creel Limit  
 Crappie (15) - 2 Pole and Line Fishing Only (1)

Lake Co., Forest Preserve District Lakes, Lake County Forest Preserve District  
 Lake County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large Smallmouth Bass (14) - 14" Minimum Length Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Lake Decatur, City of Decatur  
 Macon County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit

Lake Depue Fish and Wildlife Area (33)  
 Bureau County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Lake George, Loud Thunder Forest Preserve  
 Rock Island County  
 All Fish - 2 Pole and Line Fishing Only (1)

Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park  
 Stephenson County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass (14) - 14" Minimum Length Limit  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
 White, Black, or Hybrid - 25 Fish Daily Creel Limit  
 Crappie (15) - 2 Pole and Line Fishing Only (1)

Lake Mendota, City of Mendota  
 LaSalle County  
 All Fish - 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Pure Muskellunge - 36" Minimum Length Limit  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
 White, Black, or Hybrid - 25 Fish Daily Creel Limit  
 Crappie (15) - 25 Fish Daily Creel Limit

Lake Jacksonville, City of Jacksonville  
 Morgan County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Striped, White, or Hybrid - 17" Minimum Length Limit  
 Striped Bass - 3 Fish Daily Creel Limit  
 Striped Bass (16) - 3 Fish Daily Creel Limit  
 White, Black, or Hybrid - 25 Fish Daily Creel Limit  
 Crappie - 9" Minimum Length Limit

Lake Kakusa, City of Mendota  
 LaSalle County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit  
 White, Black, or Hybrid - 10 Fish Daily Creel Limit  
 Crappie (15) - 10 Fish Daily Creel Limit

Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park  
 Stephenson County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass (14) - 14" Minimum Length Limit  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
 White, Black, or Hybrid - 25 Fish Daily Creel Limit  
 Crappie (15) - 25 Fish Daily Creel Limit

Lake Mendota, City of Mendota  
 LaSalle County  
 All Fish - 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Channel Catfish  
Large or Smallmouth Bass (14)

- 6 Fish Daily Creel Limit  
- 1 Fish "Perch" 6" or over 2 <  
12" Daily (31)

## Lake Michigan (Illinois Portion), State of Illinois

TROUT and Salmon  
Trout and Salmon  
Lake Trout  
Yellow Perch  
Yellow Perch

- 10" Minimum Length Limit  
- no more than 3 fish of  
one species daily, except  
for Lake Trout  
- 2 Fish Daily Creel Limit  
- 15" Fish Daily Creel Limit  
- .8" to 10" Harvest Slot Length  
Limit (2) - Possession of Yellow  
Perch Under 8" or over 10"-is  
Prohibited  
- Closed During June

## Lake Milliken, Des Plaines Conservation Area

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Trout

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- Spring Closed Season (11)

## Lake Mingo &amp; Kennekuk Cove Park Ponds, Vermilion County Conservation Areas

All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid  
Walleye

- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 14" Minimum Length Limit

## Lake Murphyboro, Lake Murphysboro State Park

Jackson County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth  
Bass (14)

- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 3 Fish Daily Creel Limit

## Lake Neville, City of St. Elmo

Payette County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Striped, White, or Hybrid

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Striped Bass  
Striped Bass (16)

- White, or Hybrid  
- 3 Fish Daily Creel Limit

## Lake of the Woods &amp; Elk's Pond, Champaign County Forest Preserve District

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Trout

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 1 Fish Daily Creel Limit  
- Spring Closed Season (11)

Lake Olson, Rock Cut State Park  
Winnebago County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 1 Fish Daily Creel Limit

Lake Owen, Hazel Crest Park District  
Cook County  
All Fish  
Channel Catfish  
Cook County  
All Fish  
Channel Catfish

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 1 Fish Daily Creel Limit

Lake Paradise, City of Mattoon  
Coles County  
All Fish  
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
- 14" Minimum Length Limit  
- 6 Fish Daily Creel Limit

Lake Paradise Shadow Ponds, City of Mattoon  
Coles County  
All Fish  
Channel Catfish  
Coles County  
All Fish  
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
- 14" Minimum Length Limit  
- 6 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit

Lake Sara, City of Effingham  
Effingham County  
Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid  
Walleye  
Crappie (15)

- 14" Minimum Length Limit  
- 14" Minimum Length Limit  
- 14" Minimum Length Limit  
- 25 Fish Daily Creel Limit

Lake Shelbyville (21), U.S. Army Corps of Engineers

(During the regular waterfowl season, no bank or boat fishing shall be

permitted on the Kaskaskia River from the Strickland Boat Access north to the

Illinois Central Railroad Bridge from one-half hour before sunrise to 1 p.m.)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass	- 14" Minimum Length Limit
Pure Muskellunge	- 48" Minimum Length Limit (40)
Walleye, Sanger, or Hybrid White, Black, or Hybrid Crappie (15)	- 14" Minimum Length Limit - 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit
Lake Shelbyville - Project Ponds & Woods Lake, Lake Shelbyville State Fish and Wildlife Area (31) Moultrie/Shelby Counties All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
White, Black, or Hybrid Crappie	- 10" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
Lake Sinissippi (19) Whiteside County	- 10" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Channel Catfish	- 6 Fish Daily Creel Limit
Lake Sule, Flagg-Rochelle Park District Ogle County	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 5 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Pure Muskellunge	- 1 Fish Daily Creel Limit
Walleye, Sanger, or Hybrid White, Black or Hybrid Crappie (15)	- 36" Minimum Length Limit
Lake Taylorville, City of Taylorville Christian County	- 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit
Lake Vandalia, City of Vandalia Fayette County	- 15" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 9" Minimum Length Limit
Lake Vermilion, Vermilion County Conservation District Vermilion County	- 25 Fish Daily Creel Limit
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 5 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Striped, White, or Hybrid Striped Bass	- 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit
Lake Storey, City of Gatesburg Knox County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Smallmouth Bass Walleye, Sanger, or Hybrid White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
Large or Smallmouth Bass Walleye, Sanger, or Hybrid White, Black, or Hybrid Crappie (14)	- 6 Fish Daily Creel Limit
Lake Straini, Village of Romeoville Will County	- 12-15" Slot Length Limit (3)
All Fish	- 14" Minimum Length Limit
Walleye, Sanger, or Hybrid White, Black, or Hybrid Crappie (15)	- 3 Fish Daily Creel Limit
Lake Williamsville, City of Williamsville	- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

## **NOTICE OF PROPOSED AMENDMENT**

## NOTICE OF PROPOSED AMENDMENTS

Sangamon County	- 2 Pole and Line Fishing Only (1)	Sunfish (14)	- 25 Fish Daily Creel Limit
All Fish	- 6 Fish Daily Creel Limit	Channel Catfish	- 6 Fish Daily Creel Limit
Channel Catfish	- 15" Minimum Length Limit	Large or Smallmouth Bass	- 12-15" Slot Length Limit (3)
Large or Smallmouth Bass		Large or Smallmouth Bass	- 3 Fish Daily Creel Limit
LaSalle Lake, LaSalle Power Station		Bass (14)	
LaSalle County		Little Vermilion River Basin - Special Management Zone (river mainstem and tributaries).	
All Fish	- 2 Pole and Line Fishing Only (1)	LeSalle County	- Catch and Release Only Season No Harvest May 1 through June 15 (19).
Large or Smallmouth Bass (14)	- 18" Minimum Length Limit	Large or Smallmouth Bass	
Striped, White, or Hybrid Striped Bass (16)	- 10 Creel/3 Fish 17" or Longer		
Dale (17)			
Levings Lake, Rockford Park District			
Winnebago County	- 2 Pole and Line Fishing Only (1)	Lou Yeager Lake, City of Litchfield	
All Fish	- 6 Fish Daily Creel Limit	Montgomery County	- 15" minimum Length Limit
Channel Catfish		Large or Smallmouth Bass	- 3 Fish Daily Creel Limit
Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site		Large or Smallmouth Bass (14)	
Nicole's County		Loami Reservoir, City of Loami	
Lincoln Park North Lagoon, Chicago Park District	- 2 Pole and Line Fishing Only (1)	Sangamon County	- 2 Pole and Line Fishing Only (1)
Cook County	- 6 Fish Daily Creel Limit	All Fish	- 6 Fish Daily Creel Limit
All Fish		Channel Catfish	- 15" minimum Length Limit
Channel Catfish	- 6 Fish Daily Creel Limit	Large or Smallmouth Bass	- 3 Fish Daily Creel Limit
Lincoln Park South Lagoon, Chicago Park District		Pulaski/Johnson Counties	
Cook County	- 2 Pole and Line Fishing Only (1)	All Fish	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit	All Fish	- No Seines
Channel Catfish			
Lincoln Trail Lake, Lincoln Trail State Park		Lytle Lake, Union County Conservation Area	
Clark County		Union County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit	All Fish	- 6 Fish Daily Creel Limit
Channel Catfish		Channel Catfish	- Mechanic River--Within-the-boundaries-of--Mechanic-River--Fish-and-Wildlife Area
Johnson County	- 2 Pole and Line Fishing Only (1)	Greene County	- Bass-on-Smallmouth Bass
All Fish	- 12-15" Slot Length Limit (3)	-----Bass-on-Smallmouth Bass	-----Bass-on-Smallmouth Bass
Large or Smallmouth Bass		-----Bass-on-Smallmouth Bass	-----Bass-on-Smallmouth Bass
Little Black Slough, Little Black Slough State Natural Area	- 2 Pole and Line Fishing Only (1)	Macon County	Maple Lake, Cook County Forest Preserve District
All Fish	- No Seines	Channel Catfish	Maple Lake, Cook County Forest Preserve District
All Fish		All Fish	Maple Lake, Cook County Forest Preserve District
Pulton County			
All Fish or Redear Bluegill	- 2 Pole and Line Fishing Only (1)		

卷之三

卷之三

REVIEWS OF BOOKS

卷之三

- |   |                        |  |
|---|------------------------|--|
| Cook County                                   | All Fish               | - 2 Pole and Line<br>Fishing Only (1)(36)  |
| Channel Catfish                               |                        | - 6 Fish Daily Creel Limit   |
| Large or Smallmouth Bass                      |                        | - 14 " Minimum Length Limit  |
| MacQuarrie Park Lagoon, Chicago Park District |                        |  |
| Cook County                                   | All Fish               | - 2 Pole and Line Fishing Only (1)<br>- 6 Fish Daily Creel Limit   |
| Channel Catfish                               |                        | (Fishing Ditch), Marshall County   |
| Marshall County                               | Conservation Area      |  |
| MacQuarrie Park Lagoon                        | Conservation Area (33) | (Unlawful to trespass upon designated waterfowl hunting areas 7 days prior to the start of the waterfowl season and on areas designated as waterfowl refuges from October 10 until the end of the waterfowl season) - 2 Pole and Line Fishing Only (1)<br>All Fish |

- |   |   |
|---|---|
| Mars Hill County                                  | Mars Hill County Conservation Area - Sparland Unit (19) |
| Mars Hill County                                  | Mars Hill County Conservation Area - Sparland Unit (19) |
| Mascoutah Reservoir, City of Mascoutah            |   |
| St. Clair County                                  | - 2 Pole and Line Fishing Only (1)                      |
| All Fish  | - 15" Minimum Length Limit                              |
| Large or Smallmouth Bass                          | - 3 Fish Daily Creel Limit                              |
| Large or Smallmouth Bass (14)                     |   |
| Massac County Fairgrounds Pond, State of Illinois |   |
| Massac County                                     | - Fall Closed Season (10)                               |
| Trout   | - Spring Closed Season (11)                             |
| Trout   |   |

McCullom Lake, City of McHenry

- 2 Pole and Line Fishing Only (1)

Large or Smallmouth Bass - 14" Minimum Length Limit

**Brattwood Lake**—closed to all fishing and boat traffic from 2 weeks prior to or until first snow.

During waterfowl-season—commencing with duck season—  
and—continuing through the way before such season and to create to air-trouting  
and—trapping—waterfowl—during—waterfowl—season—commencing with duck season—  
and—continuing through the way before such season and to create to air-trouting

-----  
charge or smatimouth-Bess-ti-ty  
-----  
---3-pish-Betty-Green-binit  
-----  
2) elianum-sen-tin-eant

卷之三

- |  |                                     |
|--|-------------------------------------|
| All Fish   | 2 Pole and Line<br>Fishing Only (1) |
| Channel Catfish  | 2 Pole and Line<br>Fishing Only (1) |
| Largemouth Bass  | 2 Pole and Line<br>Fishing Only (1) |
| Large or Smallmouth Bass   | 2 Pole and Line<br>Fishing Only (1) |
| Marquette Park Lagoon, Chicago Park District<br>Cook County  | 2 Pole and Line<br>Fishing Only (1) |
| All Fish   | 2 Pole and Line<br>Fishing Only (1) |
| Channel Catfish  | 2 Pole and Line<br>Fishing Only (1) |
| Marshall County Conservation Area<br>Conservation Area (33)  | 2 Pole and Line<br>Fishing Only (1) |
| Marshall County<br>(Unlawful to trespass upon designated waterfowl hunting areas 7 days prior to the start of the waterfowl season and on areas designated as waterfowl refuges from October 10 until the end of the waterfowl season) | 2 Pole and Line<br>Fishing Only (1) |
| All Fish   | 2 Pole and Line<br>Fishing Only (1) |

- |   |   |
|---|---|
| Mars Hill County                                  | Mars Hill County Conservation Area - Sparland Unit (19) |
| Mars Hill County                                  | Mars Hill County Conservation Area - Sparland Unit (19) |
| Mascoutah Reservoir, City of Mascoutah            |   |
| St. Clair County                                  | - 2 Pole and Line Fishing Only (1)                      |
| All Fish  | - 15" Minimum Length Limit                              |
| Large or Smallmouth Bass                          | - 3 Fish Daily Creel Limit                              |
| Large or Smallmouth Bass (14)                     |   |
| Massac County Fairgrounds Pond, State of Illinois |   |
| Massac County                                     | - Fall Closed Season (10)                               |
| Trout   | - Spring Closed Season (11)                             |
| Trout   |   |

Mattoon Lake, City of Mattoon

- 2 Pole and Line Fishing Only (1)

Large or Smallmouth Bass - 14" Minimum Length Limit

**Brattwood Lake**—closed to all fishing and boat traffic from 2 weeks prior to or until first snow.

During waterfowl-season—commencing with duck season—  
and—continuing through the way before such season and to create to air-trouting  
and—trapping—waterfowl—during—waterfowl—season—commencing with duck season—  
and—continuing through the way before such season and to create to air-trouting

—Channell-Gatfish  
—Gator-Goatfish-Groundfish-Green  
—Guinea-Fowl-Herring-Horned-Jack  
—Kingfish-Lake-Mackerel-Marlin  
—Mullet-Nile-Oarfish-Pike  
—Piranha-Rainbow-Redfish-Shad  
—Silverside-Snapper-Sturgeon-Tuna  
—Wahoo-Yellowtail

-----  
charge or smatimouth-Bess-ti-ty  
-----  
---3-pish-Betty-Green-binit  
-----  
2) elianum-sen-tin-eant

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## McLeanboro City Lakes, City of McLeansboro

Hamilton County  
All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

Large or Smallmouth Bass

Meredosia Lake - Cass County Portion Only (meandered waters only) (33)

Cass County

## Meredosia Lake - Cass County Portion

Cass County  
 (meandered waters only) (all boat traffic is prohibited from operating on  
 meandered waters (except non-motorized boats may be used to assist in the  
 retrieval of waterfront shot from private land) from the period from one week  
 before waterfront season opens until the season closes; hunting or any  
 other activity is prohibited during the period from one week before waterfront  
 season opens until the season closes)

## Mermet State Lake, Mermet Lake Conservation Area (33)

All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

Large or Smallmouth Bass

Middle Fork Forest Preserve, Champaign County Forest Preserve

Champaign County  
All Fish - 2 Pole and Line Fishing Only (1)

Bluegill or Redear Sunfish (14)

Channel Catfish - 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

Large or Smallmouth Bass

Middle Fork of the Vermilion River, Kickapoo State Park and Middle Fork Fish  
 and Wildlife Area  
Vermilion County  
All Fish - 2 Pole and Line Fishing Only (1)

Middle Fork of the Vermilion River Basin - Special Management Zone (river  
 mainstem and tributaries)Vermilion County  
Large or Smallmouth Bass

Large or Smallmouth Bass

Middle Fork of the Vermilion River, Kickapoo State Park and Middle Fork Fish  
 and Wildlife Area  
Vermilion County  
All Fish - 2 Pole and Line Fishing Only (1)

- 14" Minimum Length Limit

- Catch and Release Only Season in  
 tributaries - No Harvest May 1 through June 15 (9)

## Mill Creek Lake, Clark County Park District

Clark County  
All Fish - 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Channel Catfish  
Large or Smallmouth Bass

Miller Bark Lake, City of Bloomington

McLean County  
All Fish

Channel Catfish - 2 Pole and Line Fishing Only (1)

Trout - 6 Fish Daily Creel Limit

- Spring Closed Season(11)

## Mineril Park Lagoon, City of Peoria

Tazewell County  
All Fish

Channel Catfish - 2 Pole and Line Fishing Only (1)

Trout - 6 Fish Daily Creel Limit

- Fall Closed Season (10)

## Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26 (19)

Multiple Counties

## Mississippi River (between IL &amp; IA), State of Illinois

Multiple Counties  
Large or Smallmouth Bass

Northern Pike

Walleye

- 14" Minimum Length Limit

- 5 Fish Daily Creel Limit

- 10 Fish Daily Creel Limit

- 15" Minimum Length Limit

## Mississippi River (between IL &amp; MO), State of Illinois

Multiple Counties  
Boating Prohibited on refuge areas immediately south of Melvin Price Lock and

Dam 26 from October 15 through April 15)

Northern Pike - 1 Fish Daily Creel Limit

Walleye and Sauger (14)

- 8 Fish Daily Creel Limit

## Monroe Reservoir, Will County Forest Preserve District

Will County  
All Fish

Channel Catfish - 2 Pole and Line Fishing Only (1)

Large or Smallmouth Bass

- 6 Fish Daily Creel Limit

- 1 Fish Daily Creel Limit

- 15" Minimum Length Limit

## Monroe Lake, City of Montrose

Cumberland County  
All Fish

Channel Catfish - 2 Pole and Line Fishing Only (1)

Large or Smallmouth Bass

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

Mt. Olive City Lakes, City of Mt. Olive

Macoupin County  
All Fish - 2 Pole and Line Fishing Only (1)

EDUCATIONAL RESOURCES

DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## NOTICE OF PROPOSED AMENDMENTS

Channel Catfish Mt. Olive (Old) Lake, City of Mt. Olive Macoupin County Large or Smallmouth Bass Large or Smallmouth Bass (14)	- 6 Fish Daily Creel Limit - 15" Minimum Length Limit - 3 Fish Daily Creel Limit

Alt. Vernon City Park Lake, City of Mt. Vernon Jefferson County	- 2 Pole and Line Fishing Only (1)
All Fish	- 6 Fish Daily Creel Limit
Channel Catfish	- 15" Minimum Length Limit
Large or Smallmouth Bass	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	

Mt. Vernon Game Farm Pond, Mt. Vernon Game Farm

- Jefferson County
- All Fish
- Trout
- 2 Pole and Line Fishing Only (1)
- Fall Closed Season (10)

Nashville City Lake, City of Nashville  
Washington County  
All Fish  
- 2 Pole and Line Fishing Only (1)

Large or Smallmouth Bass	- 18" Minimum Length Limit
Newton Lake, Newton Lake State Fish and Wildlife Area D Jasper County	- 2 Pole and Line Fishing Only (15")
All Fish	- 18" Minimum Length Limit
Large or Smallmouth Bass	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass (14")	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye	White, Black, or Hybrid

DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

<b>Crappie</b> (15") White County	- 10 Fish Daily Creel Limit
<b>White Bass</b>	- 10" Minimum Length Limit
<b>Crappie</b>	
<b>Norris City Reservoir, City of Norris City</b>	
<b>White Bass</b>	- 2 Pole and Line Fishing Only (1)
<b>Channel Catfish</b>	- 6 Fish Daily Creel Limit
<b>Large or Smallmouth Bass</b>	- 15" Minimum Length Limit
<b>Oakford Conservation Area (Menard County)</b>	(19)
<b>Menard County</b>	
<b>Oakland City Lake, City Lake, City of Oakland</b>	
<b>Coles County</b>	
<b>All Fish</b>	- 2 Pole and Line Fishing Only (1)
<b>Channel Catfish</b>	- 6 Fish Daily Creel Limit
<b>Large or Smallmouth Bass</b>	- 14" Minimum Length Limit
<b>Ohio River (between Illinois &amp; Kentucky), State of Illinois</b>	
<b>Multiple Counties (19)</b>	
<b>Large or Smallmouth Bass</b>	- 12" Minimum Length Limit
<b>Northern Pike</b>	- No Length or Creel Limit
<b>Muskie or Tiger Muskie</b>	- 2 Fish Daily Creel Limit
<b>Muskie or Tiger Muskie</b>	- 30" Minimum Length Limit
<b>Walleye, Sauger, or Hybrid</b>	
<b>Walleye (14")</b>	- 10 Fish Daily Creel Limit
<b>White, Black, or Hybrid</b>	- 30 Fish Daily Creel Limit
<b>Crappie (15")</b>	- 30 Creeks/4 Fish 15" or Longer
<b>Striped, White, Yellow or Hybrid</b>	Daily (12)
<b>Striped Bass</b>	
<b>Multiple Counties</b>	
<b>Ohio River-Smithland Pool Tributary Streams (in Pope/Hardin/Gallatin Countinty excluding Wabash River and Saline River above Route 1 Bridge) (19)</b>	
<b>Multiple Counties</b>	
<b>Large and Smallmouth Bass</b>	- 12" Minimum Length Limit
<b>Otter Lake, Otter Lake Water Commission</b>	
<b>Macoupin County</b>	
<b>All Fish</b>	- 2 Pole and Line Fishing Only (1)
<b>Channel Catfish</b>	- 6 Fish Daily Creel Limit
<b>Large or Smallmouth Bass</b>	- 15" Minimum Length Limit
<b>Bass (14")</b>	- 3 Fish Daily Creel Limit
<b>Striped, White, or Hybrid</b>	
<b>Striped Bass</b>	- 17" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

**Striped Bass (16)**

- 3 Fish Daily Creel Limit
- 18" - 45" Minimum Length Limit (40)

Pure Muskelunge  
Palmyra-Middlesto Water Commission Lakes, Palmyra/Middlesto Water Commission  
Macoupin County

Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Palmyra City Lake & Terry Park Pond, City of Palmyra  
Macoupin County

All Fish  
Channel Catfish

Pana Lake, City of Pana  
Shelby and Christian Counties

All Fish  
Channel Catfish  
Large or Smallmouth Bass

Paris East & West Lakes, City of Paris  
Edgar County

All Fish  
Channel Catfish  
Large or Smallmouth Bass

Peabody River King, Pitt #3 Lakes and Ponds, River King State Conservation Area  
St. Clair County

All Fish  
Channel Catfish  
Large or Smallmouth Bass (14)

White, Black, or Hybrid Crappie  
White, Black, or Hybrid Crappie (15)

Pekin Lake (19)  
Tazewell County

Perry Park Pond, Bourbonnais Park District  
Kankakee County

All Fish  
Channel Catfish

Plaza (19)  
Madison/Jersey Counties

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Pierce Lake, Rock Cut State Park  
Winnipeg County

All Fish

Bluegill or Redear Sunfish (14)  
Channel Catfish

Large or Smallmouth Bass (14)  
Large or Smallmouth Bass

White, Sauger, or Hybrid  
White, Black, or Hybrid  
Crappie (15)

Pike County Conservation Area (19)  
Pike County

Pickneyville Lake, City of Pickneyville  
Perry County

Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Pine Creek  
Ogle County

Trout

Pine Creek (within the boundaries of White Pines Forest State Park)  
Ogle County

All Fish  
-----Bass-or-Sailfin-Bass  
-----Bass-or-Sailfin-Bass  
Trout

Pine Lake, Village of University Park  
Will County

All Fish  
Channel Catfish

Piscaw Creek  
McHenry County

Trout

Pittsfield Lake, City of Pittsfield  
Pike County

All Fish

- 2 Pole and Line

Fishing Only (1)(7)

- 9" Minimum Length Limit  
- Spring Closed Season (11)

- 6 Fish Daily Creel Limit  
- Spring Closed Season (11)

- 2 Pole and Line

Fishing Only (1)(7)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass, (15)  
Striped, White, or Hybrid  
Walleye, Sauger, or Hybrid  
Walleye

- 14" Minimum Length Limit  
- 17" Minimum Length Limit  
- 2 $\frac{1}{2}$  Fish Daily Creel Limit  
- 14" Minimum Length Limit

Pocahontas Park Pond, City of Pocahontas

Bond County  
All Fish  
Channel Catfish  
Powerton Lake, Powerton Lake Fish and Wildlife Area (39) 4397  
Tazewell County  
(Shall be closed to boat traffic except for legal waterfowl hunters from October 1 to February 15, and closed to all unauthorized entry during this waterfowl season 2 weeks prior to duck season and one week after the close of waterfowl season)

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Striped, White, or Hybrid  
Striped Bass (16)

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 18" Minimum Length Limit  
- 1 $\frac{1}{2}$  Fish Daily Creel Limit  
- 10 Creel/3 Fish 17" or Longer  
Daily (17)  
- 3 $\frac{1}{2}$  Fish Daily Creel Limit  
- 18" 24" Minimum Length Limit

Prospect Pond, City of Moline

Rock Island County  
Trout

Pyramid State Park Lakes &amp; Ponds, Pyramid State Park

Perry County  
All Fish  
Channel Catfish  
Ramsey Lake, Ramsey Lake State Park  
Fayette County  
All Fish  
Channel Catfish  
Bluegill or Redear Sunfish (14)

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

- 14" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie  
Randolph County Lake, Randolph County Conservation Area  
Randolph County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Walleye, Sauger, or Hybrid  
Walleye

- 10 Fish Daily Creel Limit  
- 9" Minimum Length Limit  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- Fall Closed Season (10)  
- 14" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- Fall Closed Season (10)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

- 10 Creel/3 Fish 17" or Longer Daily  
(17)

Rend Lake Project Pond, U.S. Army Corps of Engineers  
Franklin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Striped, White, Yellow, or Hybrid  
Striped Bass (8)

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

- 3 Fish Daily Creel Limit

Rice Lake Fish and Wildlife Area (33)

Fulton County  
Coles County  
Ridge Lake, Fox Ridge State Park  
Recreational Use Restrictions — Waterfowl Refuge or Hunting Area (19)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

All fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 14" Minimum Length Limit

Large or Smallmouth Bass - 14" Minimum Length Limit

Walleye, Sauger, or Hybrid - 14" Minimum Length Limit

Riverside Park Lagoon, Chicago Park District

Cook County All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Creeel Limit

Rock Creek, State of Illinois

Kankakee County Trout - Spring Closed Season (11)

Rock River Basin - Special Management Zone (Jordan Dam to Oregon Dam, including tributaries)

Ogle/Ramsey/DeKalb Counties Large or Smallmouth Bass - 12" - 16" Protected Slot Length Limit (no possession) (37) 12" Daily Creel Limit

Bass (14) - 1 Fish Over 16" and 2 Fish Under 12" Daily Creel Limit

Rock River, Main Stem, Only ~~except reach from Oregon Dam to State Route 2 Highway Bridge at Grand Detour~~~~Highway bridge at Grand Detour;~~~~Multiple Counties~~~~Burke or Smallmouth Bass~~~~Burke or Smallmouth Bass~~~~(Base-Live)~~

Walleye, Sauger, and Hybrid

Walleye - 14" Minimum Length Limit

Rock River Basin - Special Management Zone Main Stem, ~~from Oregon Dam to State Route 2 Highway Bridge at Grand Detour, including all tributaries (8)~~

Ogle County Large or Smallmouth Bass - Catch and Release Fishing Only (9)

Walleye - Sauger and

Hybrid Walleye - 14" Minimum Length Limit

Roodhouse Park Lake, City of Roodhouse

Green County All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Creeel Limit

Route 15A Day Use Pond, State of Illinois

Randolph County All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Length Limit

Lake or Smallmouth Bass - 15" Minimum Length Limit

Bass (14) - 1 Fish Daily Creeel Limit

St. Elmo South Lake, City of St. Elmo

Fayette County All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Length Limit

Large or Smallmouth Bass - 14" Minimum Length Limit

Matson Reservoir, City of Salem

Matson County All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Length Limit

Large or Smallmouth Bass - 14" Minimum Length Limit

Sam Dale Lake, Sam Dale Conservation Area

Wayne County All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Creeel Limit

Large or Smallmouth Bass - 14" Minimum Length Limit

Walleye, Sauger and Hybrid Walleye - 14" Minimum Length Limit

Sam Dale Trout Pond, Sam Dale Conservation Area

Wayne County All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Creeel Limit

Large or Smallmouth Bass - 14" Minimum Length Limit

Trout - Fall Closed Season (10)

Trout - Spring Closed Season (11)

Rock Springs Pond, Macon County Conservation District

Sam Parr Lake, Sam Parr State Park

Jasper County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

All Fish  
Channel Catfish

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
  
Sand Lake, Illinois Beach State Park  
Lake County  
Channel or Smallmouth Bass - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14)  
Trout - Fall Closed Season (10)  
- Spring Closed Season (11)

Sandy Creek Basin - Special Management Zone (river mainstem and tributaries)  
Marshall County  
Large or Smallmouth Bass - Catch and Release Only Season -  
No Harvest May 1 through June 15 (9)

Sangamon Conservation Area (33)  
Mason/Cass/Schuyler/Menard Counties  
Sangchris Lake, Sangchris Lake State Park  
Christian/Sangamon Counties

(Posted) waterfowl refuge closed to all boat traffic during waterfowl season.  
Bank fishing along the dam shall be permitted. Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the goose season that follows the duck season.  
All Fish - 2 Pole and Line Fishing Only (1)  
(34) - 2 Fish <15" &/or 1 Fish ≥ or = 15"

Large or Smallmouth Bass (14)  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie

Daily (25)  
- 25 Fish Daily Creel Limit  
- 9" Minimum Length Limit

Sangchris Lake Park Ponds, Sangchris Lake State Park  
Sangamon County  
All Fish  
Schiller Pond, Cook County Forest Preserve District  
Cook County  
Channel Catfish  
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
- (36) - 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Schuy-Rush Lake, City of Rushville

Schuyler County  
Walleye, Sauger, or Hybrid  
White, Black, or Hybrid  
Crappie

Senior Citizen's Pond, Rantakkee River State Park  
Kankakee County  
All Fish  
Channel Catfish

Shabbona Lake, Shabbona Lake State Park  
DeKalb County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
Pike Muskellunge  
Walleye, Sauger, or Hybrid  
White, Black, or Hybrid  
Crappie (15)

Shawnee National Forest Lakes & Ponds less than 10 acres, U.S. Forest Service  
Multiple Counties  
All Fish  
Channel Catfish  
Largemouth, Smallmouth or  
Spotted Bass

Shawnee National Forest - Bay Creek Lake #5 and #8 (Sugar Creek Lake), U.S.  
Forest Service  
Pope County  
Channel Catfish  
Largemouth, Smallmouth and  
Spotted Bass

Shawnee National Forest - Dutchman Lake, U.S. Forest Service  
Johnson County  
All Fish  
Channel Catfish  
Largemouth, Smallmouth or  
Spotted Bass

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit

Shawnee National Forest - Lake Glendale, U.S. Forest Service

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Pope County All Fish	- 2 Pole and Line Fishing Only (1) Channel Catfish Largemouth, Smallmouth or Spotted Bass	- 6 Fish Daily Creek Limit - 15" Minimum Length Limit	
Shawnee National Forest - Little Cedar Lake, U.S. Forest Service Johnson County All Fish	- 2 Pole and Line Fishing Only (1) Channel Catfish Largemouth, Smallmouth or Spotted Bass	- 6 Fish Daily Creek Limit - 15" Minimum Length Limit	
Shawnee National Forest - Little Cache #1, U.S. Forest Service Hardin County All Fish	- 2 Pole and Line Fishing Only (1) Channel Catfish Largemouth, Smallmouth or Spotted Bass	- 6 Fish Daily Creek Limit - 15" Minimum Length Limit	
Shawnee National Forest - One Horse Gap Lake, U.S. Forest Service Jackson County All Fish	- 2 Pole and Line Fishing Only (1) Channel Catfish Largemouth, Smallmouth or Spotted Bass	- 6 Fish Daily Creek Limit - 15" Minimum Length Limit	
Shawnee National Forest - Pounds Hollow Lake, U.S. Forest Service Gallatin County All Fish	- 2 Pole and Line Fishing Only (1) Channel Catfish Largemouth, Smallmouth or Spotted Bass	- 6 Fish Daily Creek Limit - 15" Minimum Length Limit	
Shawnee National Forest - Tecumseh Lake, U.S. Forest Service Hardin County All Fish	- 2 Pole and Line Fishing Only (1) Channel Catfish Largemouth, Smallmouth or Spotted Bass	- 6 Fish Daily Creek Limit - 15" Minimum Length Limit	
Shawnee National Forest - Turkey Bayou, U.S. Forest Service Jackson County All Fish	- 2 Pole and Line Fishing Only (1) Channel Catfish Largemouth, Smallmouth or Spotted Bass	- 6 Fish Daily Creek Limit - 15" Minimum Length Limit	

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Shawnee National Forest - Rhoopie Cat Lake, U.S. Forest Service Hardin County All Fish	- 2 Pole and Line Fishing Only (1) Channel Catfish Largemouth, Smallmouth or Spotted Bass	- 6 Fish Daily Creek Limit - 15" Minimum Length Limit	
Sherman Park Lagoon, Chicago Park District Cook County All Fish	- 2 Pole and Line Fishing Only (1) Channel Catfish	- 6 Fish Daily Creek Limit - 15" Minimum Length Limit	
Siloam Springs Lake, Siloam Springs State Park Adams County All Fish	- 2 Pole and Line Fishing Only (1) Channel Catfish	- 6 Fish Daily Creek Limit - 12-15" Slot Length Limit - Fall Closed Season (10) - Spring Closed Season (11)	
Silver Lake, DuPage County Forest Preserve District DuPage County All Fish	- 2 Pole and Line Fishing Only (1) Channel Catfish	- 6 Fish Daily Creek Limit - 14" Minimum Length Limit	
Silver Lake (Highland), City of Highland Madison County Walleye	- 2 Pole and Line Fishing Only (1) Channel Catfish	- 3 Fish Daily Creek Limit - Spring Closed Season (11)	
Silver Springs S.P. (Big Lake) & Ponds, Silver Springs State Park Kendall County All Fish	- 2 Pole and Line Fishing Only (1) Channel Catfish	- 14" Minimum Length Limit	
Silver Springs S.P. (Big Lake) & Ponds, Silver Springs State Park Kendall County All Fish	- 2 Pole and Line Fishing Only (1) Channel Catfish	- 6 Fish Daily Creek Limit - 15" Minimum Length Limit	
Site M Ponds #1, #2, #3, and #4, Site M Conservation Area Cass County All Fish	- 2 Pole and Line Fishing Only (1) Channel Catfish	- 6 Fish Daily Creek Limit - 15" Minimum Length Limit	

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Skokie Lagoons, Cook County Forest Preserve District Cook County All Fish	- 2 Pole and Line Fishing Only (1) (36") Minimum Length Limit - 18" Minimum Length Limit	Large or Smallmouth Bass (14) Striped, White, or Hybrid Striped Bass (16)	- 3 Fish Daily Creel Limit - 17" Minimum Length Limit
Large or Smallmouth Bass Walleye		Spring Lake, Flag-Rochelle Park District Ogle County	- 3 Fish Daily Creel Limit
Knox County (All use other than waterfowl hunting prohibited from October 1 through the end of the goose season)	- 2 Pole and Line Fishing Only (1) 10 Fish Daily Creel Limit 6 Fish Daily Creel Limit 15" Minimum Length Limit 3 Fish Daily Creel Limit 36" Minimum Length Limit	Large or Smallmouth Bass Large or Smallmouth Bass (14)	- 14" Minimum Length Limit - 1 Fish Daily Creel Limit
All Fish Bluegill or Redear Sunfish (14)	- 3 Fish Daily Creel Limit	Spring Lakes (North & South), Spring Lake Conservation Area (33) Tazewell County	- 12-15" Slot Length Limit (3)
Channel Catfish	- 6 Fish Daily Creel Limit	All Fish	- 2 Pole and Line Fishing Only (1)(7)
Large or Smallmouth Bass	- 15" Minimum Length Limit	Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit	Large or Smallmouth Bass	- 1 Fish Daily Creel Limit
Pure Muskellunge	- 36" Minimum Length Limit	Large or Smallmouth Bass Bass (14)	- 17" Minimum Length Limit
Walleye, Suger, or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit	Pure Muskellunge White, Black, or Hybrid Crappie (15)	- 18" 45" Minimum Length Limit (40)
Walleye, Suger, or Hybrid Walleye White, Black, or Hybrid Crappie (15)	- 6 Fish Daily Creel Limit - 14" Minimum Length Limit - 5 Fish Daily Creel Limit	White, Black, or Hybrid Crappie	- 25 Fish Daily Creel Limit - 9" Minimum Length Limit
Sparta City Lakes, City of Sparta Randolph County	- 2 Pole and Line Fishing Only (1) 6 Fish Daily Creel Limit 15" Minimum Length Limit	Starved Rock State Park (19) LaSalle County	
All Fish Channel Catfish	- 2 Pole and Line Fishing Only (1) 6 Fish Daily Creel Limit 15" Minimum Length Limit	Staunton City Lake, City of Staunton Macoupin County	- 2 Pole and Line Fishing Only (1) All Fish
Large or Smallmouth Bass	- 3 Fish Daily Creel Limit	Channel Catfish	- 6 Fish Daily Creel Limit
Randolph County	- 9" Minimum Length Limit	Large or Smallmouth Bass Large or Smallmouth Bass (14)	- 15" Minimum Length Limit
All Fish Channel Catfish	- 10 Fish Daily Creel Limit	Stephen A. Forbes State Park (19)	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass Large or Smallmouth Bass White, Black, or Hybrid Crappie (15)	- 6 Fish Daily Creel Limit Only (1) (5)	Marion County	- 36" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 15" Minimum Length Limit	Sterling Lake, Lake County Forest Preserve District Lake County	- 14" Minimum Length Limit
Spring Lake, City of Macomb McDonough County All Fish	- 2 Pole and Line Fishing - 6 Fish Daily Creel Limit	Channel Catfish	
Channel Catfish	- 15" Minimum Length Limit	Large or Smallmouth Bass Pure Muskellunge Walleye, Sauer, or Hybrid	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 3 Fish Daily Creel Limit	Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit	Walleye	

DEPARTMENT OF NATURAL RESOURCES  
NOTICE OF PROPOSED AMENDMENTS

Storm Lake, DeKalb Park District

DeKalb County

All Fish

Channel Catfish

Jersey County

Stump Lake Wildlife Management Area (3)

Tamper Lake, Cook County Forest Preserve District

Cook County

All Fish

Channel Catfish

Large or Smallmouth Bass

Bass (14)

Ten Mile Creek Lakes, "Ten Mile Creek State Fish and Wildlife Area

Hamilton/Jefferson Counties (19)

(Areas designated as refuge are closed to all access during the Canada goose season)

All Fish

Channel Catfish

Large or Smallmouth Bass

Bass (14)

Terry Pond, Village of Palmyra

Macoupin County

Large or Smallmouth Bass

Bass (14)

Tomahawk Lake, Moraine Hills State Park

McHenry County

All Fish

Channel Catfish

Large or Smallmouth Bass

Bass (14)

Turkey Bluff Ponds, State of Illinois

Randolph County

All Fish

Channel Catfish

Large or Smallmouth Bass

Bass (14)

Turner Lake, Chain O'Lakes State Park

Lake County

All Fish

Channel Catfish

Large or Smallmouth Bass

Bass (14)

Tuscola City Lake, City of Tuscola

Douglas County

All Fish

Channel Catfish

Large or Smallmouth Bass

Bass (14)

Valmyer Lake, City of Valmyer

Monroe County

All Fish

Channel Catfish

Large or Smallmouth Bass

Bass (14)

Vashon Woods Pond, Plainfield Park District

Will County

All Fish

Channel Catfish

Large or Smallmouth Bass

Bass (14)

Vernor Lake, City of Quincy

Richland County

All Fish

Channel Catfish

Large or Smallmouth Bass

Bass (14)

DEPARTMENT OF NATURAL RESOURCES  
NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass

Bass (14)

Turner Lake, Daily Creel Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

6 Fish Daily Creel Limit

6" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

**Large or Smallmouth Bass** - 14" Minimum Length Limit  
**Villa Grove East Lake, City of Villa Grove** - 2 Pole and Line Fishing Only (1)  
**Douglas County All Fish** - 6 Fish Daily Creel Limit  
**Channel Catfish** - 14" Minimum Length Limit  
**Large or Smallmouth Bass**

**Villa Grove West Lake, City of Villa Grove** - 2 Pole and Line Fishing Only (1)  
**Douglas County All Fish** - 6 Fish Daily Creel Limit  
**Channel Catfish** - 14" Minimum Length Limit  
**Large or Smallmouth Bass**  
**Trout** - Fall Closed Season (10)

**Virginia City Reservoir, City of Virginia** - 2 Pole and Line Fishing Only (1)  
**Cass County All Fish** - 6 Fish Daily Creel Limit  
**Channel Catfish** - 14" Minimum Length Limit  
**Large or Smallmouth Bass**  
**Trout** - Spring Closed Season (11)

**Waddams Creek Stephenson County** - 2 Pole and Line Fishing Only (1)  
**Walnut Point Lake, Walnut Point State Fish and Wildlife Area** - 2 Pole and Line Fishing Only (1)  
**Douglas County All Fish** - 6 Fish Daily Creel Limit  
**Channel Catfish** - 12-15" Slot Length Limit (3)  
**Large or Smallmouth Bass**

**Walton Park Lake, City of Litchfield** - 2 Pole and Line Fishing Only (1)  
**Montgomery County All Fish** - 6 Fish Daily Creel Limit  
**Channel Catfish** - 15" Minimum Length Limit  
**Large or Smallmouth Bass**  
**Bass (14)** - 3 Fish Daily Creel Limit

**Warrior Lake, Moraine Hills State Park McHenry County All Fish** - 2 Pole and Line Fishing Only (1)  
**Channel Catfish** - 6 Fish Daily Creel Limit  
**Large or Smallmouth Bass** - 14" Minimum Length Limit  
**Large or Smallmouth Bass (14)** - 3 Fish Daily Creel Limit  
**Washington County Lake, Washington County Conservation Area Washington County** - 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

**All Fish** - 2 Pole and Line Fishing Only (1)  
**(5)**  
**Channel Catfish** - 6 Fish Daily Creel Limit  
**Large or Smallmouth Bass** - 14" Minimum Length Limit  
**Striped White, or Hybrid Striped White, or Hybrid Striped Bass** - 17" Minimum Length Limit  
**Striped Bass (16)** - 3 Fish Daily Creel Limit

**Washington Park Lagoon, Chicago Park District Cook County All Fish** - 2 Pole and Line Fishing Only (1)  
**Channel Catfish** - 6 Fish Daily Creel Limit  
**Large or Smallmouth Bass** - Fall Closed Season (10)  
**Trout** - Spring Closed Season (11)

**Washington Park Pond, Springfield Park District Sangamon County All Fish** - 2 Pole and Line Fishing Only (1)  
**Channel Catfish** - 6 Fish Daily Creel Limit  
**Large or Smallmouth Bass** - Fall Closed Season (10)  
**Trout** - Spring Closed Season (11)

**Waverly Lake, City of Waverly Morgan County All Fish** - 2 Pole and Line Fishing Only (1)  
**Channel Catfish** - 6 Fish Daily Creel Limit  
**Large or Smallmouth Bass** - 15" Minimum Length Limit

**Weinberg-King Pond, Weinberg-King State Park Schuyler County All Fish** - 2 Pole and Line Fishing Only (1)  
**Channel Catfish** - 6 Fish Daily Creel Limit

**Weldon Springs Lake, Weldon Springs State Park DeSoto County All Fish** - 2 Pole and Line Fishing Only (1)  
**Channel Catfish** - 6 Fish Daily Creel Limit  
**Large or Smallmouth Bass** - 15" Minimum Length Limit  
**Bass (14)** - 1 Fish Daily Creel Limit

**West Frankfort New City Lake, City of West Frankfort Franklin County All Fish** - 2 Pole and Line Fishing Only (1)  
**Channel Catfish** - 6 Fish Daily Creel Limit

**West Frankfort Old City Lake, City of West Frankfort Franklin County All Fish** - 2 Pole and Line Fishing Only (1)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 810.60 Bullfrogs (Repealed)

- a) Statewide-Regulations-be-taken-by-hand-pole-and-line-fishing-methods pitchforks-handling-net-bow-and-arrow-or-bow-and-arrow-devices spears—or-guns—a-tending-net-is-defined-as-a-hand-held-net-with no-greater-than-15-inch-bar measurement-necking—an-opening—of non-preserves-them—feels-including-and—including
  - 2+) No-person—that-take—bulfrogs-by-commercial-fishing-devices including-hoop-nets—steps—or-setney—or-the-use-of-firearm or-guns.
  - 3+) The-season-is-June-15-to-August-31—the both-dates-inclusive
  - 4+) The-day-is-June-15-to-the possession-birth-month-is-16—Persons-taking hunting-and-fishing-must-have-a-valid-sport-fishing-license—or—a combination hunting-and-fishing-license.
- b) Site-Specific-Regulations:
  - Bullfrogs—may—be—taken—in—accordance—with-Statewide-Regulations Section 810.60—Re—above—on—waters—owned—managed—or—leased—by—the Department—of—Natural—Resources.

(Source: Repealed at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 810.70 Free Fishing Days

During the period of June 7, 8, and 9, 1997 and 1998, it shall be legal for any person to fish in waters wholly or in part within the jurisdiction of the State, including the Illinois portion of Lake Michigan, without possessing a sport fishing license, or salmon stamp or inland trout stamp.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 810.90 Fishing Tournament Permit

- a) A fishing tournament permit from the Department of Natural Resources is needed if:
  - 1) Prizes are offered for tagged or marked fish and where any of the waters listed in Section 810.45 are named as a tournament site;
  - 2) The fishing event is conducted over a period of more than five (5) days during any calendar year, and prizes with a total value in excess of \$1,000 are offered, and where any of the waters listed in Section 810.45 are named as a tournament site; OR

- 3) Special exemption to the daily creel and size limits is requested

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- for catch, hold for weigh-in, and release tournaments for muskies (all waters) or smooth bass streams only—except that the Mississippi, Ohio, and Wabash Rivers are not eligible for permits which exempt participants from daily creel and size limits.
- b) Requests Applications for a permit shall be made on Applications Provided by the Department of Natural Resources, Division of Fisheries, at least 60 days prior to the first tournament date.
- c) Issuance or denial of a permit shall be based upon the following criteria:
  - 1.) The capability of the fishery resource to absorb the tournament with minimal impact to its well-being.
  - 2.) The location of the tournament, catch and release management zones on streams are not eligible for permits.
  - 3.) The Mississippi, Wabash, and Ohio are not eligible for permits which exempt participants from daily catch and size limits for smooth mouth bass.
  - 4.) The evaluation of the adverse impacts resulting from the additional fishing pressure generated by the tournament on the fish population and the targeted fish species. The evaluation must demonstrate minimal and short-term impacts in order for the Department of Natural Resources to issue the permit. Specific items to be considered include:
    - A) biological status of the fish population, including the species sought;
    - B) length of the tournament;
    - C) number of boats and anglers participating in the tournament;
    - D) for tagged fish tournaments, provisions for obtaining and tagging targeted fish species; and provisions for obtaining and tagging non-targeted boater-user conflicts.
  - 5.) Demonstrates adequate provisions for holding, handling, and releasing caught fish. Specific criteria are:
    - A) tournament officials must be able to certify that all muskie fishing tournaments measure at least 18" long, 12" deep, and 12" wide and be fitted with a functioning aerator and water pump.
    - B) Tournament officials must be able to certify that each boat has a functioning livewell prior to the tournament.
    - C) Following the weigh-in, fish must be released away from the weigh-in site and as near to the site where the catch was made as possible by means of a common release boat, or vehicle, or individual boats.
    - D) If a common release boat or vehicle is utilized, the anglers transporting the fish to be released are exempt from the daily creel limit. A common release boat and holding tank used to transport fish for releases shall be adequate to carry a tank constructed of a suitable material (aluminum or

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- fiber glass) with smooth interior walls with no obstructions to trap or injure fish. The tank must be able to hold at least one gallon of water per pound of fish, provide adequate aeration, and maintain a constant temperature to sustain the fish's well-being. The tank must have operating hatches to prevent fish from jumping out of the tank, and allow quick opening and closing for introduction and removal of fish. Detailed specifications on the design and use of a fish holding tank are available upon request from the IDNR, Division of Fisheries. Individual boats and anglers returning their catches of fish back to a release site must adhere to daily creel limits. Tournament officials must be able to certify that a common release boat is being utilized for this tournament.
- E) Catch, weigh-in, and release muskie tournaments, all boats must have a fish cradle (made from netting) to temporarily hold the muskie in the water while an official determines the length, or weight, of the fish prior to release. Muskies may not be transported to a weigh-in site. Adequate identification of participants in fishing tournament for law enforcement purposes. Specific criteria include:
- A1) Tournament officials must keep and have available on site a written record or log of daily participants (including names and boat registration numbers) for inspection by Department of Natural Resources officials.
- B1) Each participant and boat must be identified in an easily recognizable manner at a distance (watch on the hat or back).
- C) Issuance of a permit shall be based upon the Department of Natural Resources' assessment of the sensitivity of the fishery resources to assess the tournament's segment impact; in determining whether or not to hold a fishing tournament—the Department will estimate the number of fish of a particular species to be caught in order to evaluate the impact of angling days per acre of water—items to be considered include:
- i) Species sought?
- ii) Biological status—of—population(s)—or—species—sought—the biota/green—status—or—condition—of—the—population—of—the—species sought?
- iii) Population density?
- iv) Growth rate?
- v) Age structure?
- vi) Site structure?
- vii) Recruitments?
- viii) Length-of-tournament?
- ix) Projected tournament fishing pressure—which—is—the—estimated total number of angling days generated by a tournament?

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)

- 5) Provisions—for—obtaining,—tagging,—holding,—handing---and/or releasing fish;
- 6) Safety—and Potential-boater-user-conflicts;
- 7) Tangled-Passing—Tournament-permittees-must—consent—with-the-Division-of-Fisheries—prior—to—tagging—and/or-releasing—tagged-fish-to—prevent conflict—with Department-Fish-tagging-projector
- d) Failure to acquire a permit as referenced in subsection (a)(e) above is a petty offense and will result in denial of future applications for a Tagged Fishing Tournament Permit by that applicant, sponsor or group for a period up to five(5) years.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: New Activities in a Setback Zone or Regulated Recharge Area

2) Code citation: 35 Ill. Adm. Code 616

3) Section numbers:

Amendment

Amendment

Amendment

Amendment

4) Statutory authority: 415 ILCS 5/14.4, 21, 22, and 27

5) A complete description of the subjects and issues involved:

The Board's responsibility in this matter arises from the Environmental Protection Act (Act) [415 ILCS 5/]. The Board is charged there in to determine, define and implement the environmental control standards applicable in the State of Illinois [415 ILCS 5/5(b)]. More generally, the Board's rulemaking charge is based on the system of checks and balances integral to Illinois environmental governance: the Board bears responsibility for the rulemaking and principal adjudicatory functions; the Agency has primary responsibility for administration of the Act and the Board's regulations, including the regulations today proposed for amendment.

A more detailed description is contained in the Board's opinion of November 21, 1996 in R96-18, which is available from the address below. The R96-18 proceeding, of which the amendments to this Part are just one segment, updates the Board's drinking water rules to incorporate several amendments proposed by the Illinois Environmental Protection Agency (Agency) in its amended petition for general rulemaking filed on September 4, 1996 and its second amended petition filed on October 16, 1996. Affected by the larger R96-18 proceeding are Parts 601, 602, 603, 607, 615, 616, 617 & 620 of Subtitle F.

The majority of the proposed amendments are of a non-substantive, "housekeeping" nature, including items such as replacing citations to Illinois Revised Statutes with citations to Illinois Compiled Statutes. The proposed amendments also contain two substantive items. The first would allow the Agency to issue construction permits notwithstanding the fact that a public water supply is on the restricted status list for a violation of the radium maximum concentration level (MCL). The second would, through modification of the authority note for the groundwater quality regulations, note that the groundwater regulations were adopted pursuant to the Act.

In particular, the amendments to Part 616 make a number of corrections and

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- updates to the text of the rules, such as converting phrases to standard citations and converting references to the current statute titles and citations.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of statewide policy objectives: This rulemaking is authorized by Sections 14.4, 22, and 27 of the Environmental Protection Act. The statewide policy objectives are set forth in Section 11 of that Act. Although the nature of the present amendments is intended to make corrections to and update the existing text or to relax an existing regulatory burden, this rulemaking may impose mandates on units of local government to the extent they supply drinking water to at least 25 of the same persons over 6 months per year.
- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R96-18 and be addressed to:
- Ms. Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center, Suite 11-500  
100 W. Randolph St.  
Chicago, IL 60601  
312-814-9331
- Direct all questions to Michael J. McCambridge at 312-814-6924.
- Request copies of the Board's opinion and order from Victoria Agyeman at 312-814-3620.
- 12) Initial regulatory flexibility analysis:
- B) Times of small businesses affected: This rulemaking will affect only those small businesses that supply drinking water to at least 25 of the same persons over 6 months per year.
- B) Reporting, bookkeeping, or other procedures required for compliance: The existing drinking water rules impose significant reporting, bookkeeping, and other procedures on small businesses that supply

## POLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

drinking water to at least 25 of the same persons over 6 months per year. Although the nature of the present amendments is intended to make corrections to and update the existing text or to relax an existing regulatory burden, this rulemaking may increase the regulatory burden on small businesses.

c) **Turns of professional skills necessary for compliance:** Compliance with the existing rules and proposed amendments may require small businesses that supply drinking water to at least 25 of the same persons over 6 months per year to employ the services of an attorney, certified public accountant, chemist, and registered professional engineer. Although the nature of the present amendments is intended to make corrections to and update the existing text or to relax an existing regulatory burden, this rulemaking may increase the regulatory burden on small businesses.

13) **Regulatory Agenda** on which this rulemaking was summarized: July 1996

The full text of the proposed amendments begins on the next page:

## POLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE P: PUBLIC WATER SUPPLIES  
CHAPTER I: POLLUTION CONTROL BOARD

## PART 616 NEW ACTIVITIES IN A SETBACK ZONE OR REGULATED RECHARGE AREA

## SUBPART A: GENERAL

Section	616.201	Purpose
	616.202	Compliance Period
	616.203	Compliance With Groundwater Standards
	616.204	Groundwater Monitoring System
	616.205	Groundwater Monitoring Program
	616.206	Reporting
	616.207	Determining Background Values and Maximum Allowable Results ("MARS")
	616.208	Continued Sampling
	616.209	Preventive Notification and Preventive Response
	616.210	Corrective Action Program
	616.211	Alternative Corrective Action Demonstration

## SUBPART B: GROUNDWATER MONITORING REQUIREMENTS

Section	616.201	Applicability
	616.202	Closure Performance Standard
	616.203	Certification Of Closure
	616.204	Survey Plat
	616.205	Post-Closure Notice for Waste Disposal Units
	616.206	Certification of Completion of Post-Closure Care
	616.207	Post-Closure Care Period

## SUBPART C: GENERAL CLOSURE AND POST-CLOSURE REQUIREMENTS

Section	616.301	Applicability
	616.302	Closure Performance Standard
	616.303	Certification Of Closure
	616.304	Survey Plat
	616.305	Post-Closure Notice for Waste Disposal Units
	616.306	Certification of Completion of Post-Closure Care
	616.307	Post-Closure Care Period

## SUBPART D: ON-SITE LANDFILLS

Section	616.401	Applicability
	616.402	Prohibitions

## SUBPART E: ON-SITE LAND TREATMENT UNITS

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

Section 616.421 Applicability  
 616.422 Prohibitions  
 616.423 Groundwater Monitoring  
 616.424 Design and Operating Requirements  
 616.425 Closure and Post-Closure

## SUBPART F: ON-SITE SURFACE IMPOUNDMENTS

Section 616.441 Applicability  
 616.442 Prohibitions  
 616.443 Groundwater Monitoring  
 616.444 Design Requirements  
 616.445 Inspection Requirements  
 616.446 Operating Requirements  
 616.447 Closure and Post-Closure Care

## SUBPART G: ON-SITE WASTE FILES

Section 616.461 Applicability  
 616.462 Prohibitions  
 616.463 Design and Operating Requirements  
 616.464 Closure

## SUBPART H: UNDERGROUND STORAGE TANKS

Section 616.501 Applicability  
 616.502 Design and Operating Requirements

## SUBPART I: PESTICIDE STORAGE AND HANDLING UNITS

Section 616.001 Applicability  
 616.002 Prohibitions  
 616.003 Groundwater Monitoring  
 616.004 Design and Operating Requirements  
 616.005 Closure and Post-Closure Care

## SUBPART J: FERTILIZER STORAGE AND HANDLING UNITS

Section 616.621 Applicability  
 616.622 Prohibitions  
 616.623 Groundwater Monitoring  
 616.624 Design and Operating Requirements

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

Section 616.625 Closure and Post-Closure Care

## SUBPART K: ROAD OIL STORAGE AND HANDLING UNITS

Section 616.701 Applicability  
 616.702 Prohibitions  
 616.703 Groundwater Monitoring  
 616.704 Design and Operating Requirements for Above-Ground Storage Tanks  
 616.705 Closure

## SUBPART L: DE-ICING AGENT STORAGE AND HANDLING UNITS

Section 616.721 Applicability  
 616.722 Prohibitions  
 616.723 Groundwater Monitoring  
 616.724 Design and Operating Requirements for Indoor Storage Facilities  
 616.725 Closure

AUTHORITY: Implementing Sections 5, 14.4, 21, and 22, and authorized by Section 27, of the Environmental Protection Act (ILCS 5/5, 14.4, 21, 22, 27).

SOURCE: Adopted at R99-5 at 16 Ill. Reg. 1592, effective January 10, 1992; amended in R99-14(C) at 16 Ill. Reg. 1676, effective September 11, 1992; amended in R99-20 at 17 Ill. Reg. 1878, effective January 28, 1993; amended in R96-18 at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: GENERAL

## Section 616.101 Purpose

This Part prescribes requirements and standards for the protection of ground water for certain types of new facilities or units located wholly or partially within a setback zone regulated by the Act or within a regulated recharge area as delineated pursuant to Section 17.4 of the Illinois Environmental Protection Act (Act) (ILCS 5/1 #1#-Rev-Stat-1989-ch-#1-#2-par-para-#001et-seq).

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## Section 616.102 Definitions

Except as stated in this Section, and unless a different meaning of a word or term is clear from the context, the definitions of words or terms in this Part shall be the same as those used in 35 Ill. Adm. Code 615.102, the Act, or the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Illinois Groundwater Protection Act [415 ILCS 55] (Title--Reviser--Statute--1989--ch-10th-1/27-par-745-strat).

"New Potential Primary Source" means:

A potential primary source which is not in existence or for which construction has not commenced at its location as of January 1, 1988; or

A potential primary source which expands laterally beyond the currently permitted boundary or, if the primary source is not permitted, the boundary in existence as of January 1, 1988; or  
A potential primary source which is part of a facility that undergoes major reconstruction. Such reconstruction shall be deemed to have taken place where the fixed capital cost of the new components constructed within a 2-year period exceed 50% of the fixed capital cost of a comparable entirely new facility.  
(Section 3.59 of the Act)

"New Potential Route" means:

A potential route which is not in existence or for which construction has not commenced at its location as of January 1, 1988; or

A potential route which expands laterally beyond the currently permitted boundary or, if the potential route is not permitted, the boundary in existence as of January 1, 1988.  
(Section 3.58 of the Act)

"New Potential Secondary Source" means:

A potential secondary source which is not in existence or for which construction has not commenced at its location as of July 1, 1988; or

A potential secondary source which expands laterally beyond the currently permitted boundary or, if the secondary source is not permitted, the boundary in existence as of July 1, 1988, other than an expansion for handling of livestock waste or for treating domestic wastewater; or

A potential secondary source which is part of a facility that undergoes major reconstruction. Such reconstruction shall be deemed to have taken place where the fixed capital cost of the new components constructed within a 2-year period exceed 50% of the fixed capital cost of a comparable entirely new facility.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

(Section 3.60 of the Act)

"Potential Primary Source" means any unit at a facility or site not currently subject to a removal or remedial action which:

Is utilized for the treatment, storage, or disposal of any hazardous or special waste not generated at the site; or

Is utilized for the disposal of municipal waste not generated at the site, other than landscape waste and construction and demolition debris; or

Is utilized for the landfilling, land treating, surface impounding or piling of any hazardous or special waste that is generated on the site or at other sites owned, controlled or operated by the same person; or

Stores or accumulates at any time more than 75,000 pounds above ground, or more than 7,500 pounds below ground, of any hazardous substances.  
(Section 3.59 of the Act)

"Potential Route" means abandoned and improperly plugged wells of all kinds, drainage wells, all injection wells, including closed loop heat pump wells, and any excavation for the discovery, development or production of stone, sand or gravel. (Section 3.58 of the Act)

"Potential Secondary Source" means any unit at a facility or a site not currently subject to a removal or remedial action, other than a potential primary source, which:

Is utilized for the landfilling, land treating, or surface impounding of waste that is generated on the site or at other sites owned, controlled or operated by the same person, other than livestock and landscape waste, and construction and demolition debris; or

Stores or accumulates at any time more than 25,000 but not more than 75,000 pounds above ground, or more than 2,500 but not more than 7,500 pounds below ground, of any hazardous substances; or

Stores or accumulates at any time more than 25,000 gallons above ground, or more than 500 gallons below ground, of petroleum, including crude oil or any fraction thereof, which is not otherwise specifically listed or designated as a hazardous substance; or

Stores or accumulates pesticides, fertilizers, or road oils for

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

purposes of commercial application or for distribution to retail sales outlets; or

Stores or accumulates at any time more than 50,000 pounds of any deicing agent; or

Is utilized for handling livestock waste or for treating domestic wastewater other than private sewage disposal systems as defined in the Private Sewage Disposal Licensing Act (225 ILCS 225) (Title Reviser-Sub-1999-rev-11-22-99-per-1663&et-seq.).  
(Section 3.60 of the Act)

(Source : Amended at 21 Ill. Reg. \_\_\_\_\_ )

## Section 616.104 Exceptions to Prohibitions

- a) The owner of a new potential primary source or a potential secondary source may secure a waiver from the prohibitions specified in Section 616.402(a), 616.412(a), 616.421(a), 616.422(a), 616.602, 616.702 or 616.702(a) against construction or operation within the setback zone for a potable water supply well other than a community water supply. A written request for a waiver shall be made to the owner of the water well and the Agency. Such request shall identify the new or proposed potential source, shall generally describe the possible effect of such potential source upon the water well and any applicable technology-based control which will be utilized to minimize the potential for contamination, and shall state whether, under what conditions, the requestor will provide an alternative potable water supply. Waiver may be granted by the owner of the water well no less than 90 days after receipt unless prior to such time the Agency notifies the well owner that it does not concur with the request.  
(Section 14.2(b) of the Act)

- b) The Agency shall not concur with any such request which fails to accurately describe reasonably foreseeable effects of the potential source or potential route upon the water well or any applicable technology-based controls. Such notification by the Agency shall be in writing, and shall include a statement of reasons for the nonconcrence. Waiver of the minimum setback zone shall extinguish the water well owner's rights under Section 6b of the Illinois Water Well Construction Code but shall not preclude enforcement of any law regarding water pollution. If the owner of the water well has not granted a waiver within 120 days after receipt of the request or the Agency has notified the owner that it does not concur with the request, the owner of a potential source or potential route may file a petition for an exception with the Board and the Agency pursuant to subsection (b) of this Section. (Section 14.2(b) of the Act)

c) No waiver under this Section is required where the potable water

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

supply well is part of a private water system as defined in the Illinois Groundwater Protection Act, and the owner of such well will also be the owner of a new potential secondary source or a potential route. In such instances, a prohibition of 75 feet shall apply and the owner shall notify the Agency of the intended action so that the Agency may provide information regarding the potential hazards associated with location of a potential secondary source or potential route in close proximity to a potable water supply well. (Section 14.2(b) of the Act)

- d) The Board may grant an exception from the setback requirements of this Section and Section 14.3 to the owner of a new potential primary source other than landfilling or land treating, or a new potential secondary source. The owner seeking an exception with respect to a community water supply well shall file a petition with the Board and the Agency. The owner seeking an exception with respect to potable water supply well shall file a petition with the Board and the Agency, and set forth therein the circumstances under which a waiver has been sought but not obtained pursuant to subsection (a) of this Section. A petition shall be accompanied by proof that the owner of such potable water supply well for which setback requirements would be affected by the requested exception has been notified and been provided with a copy of the petition. A petition shall set forth such facts as may be required to support an exception, including a general description of the potential impacts of such potential source or potential route upon groundwater and the affected water well, and an explanation of applicable technology-based controls which will be utilized to minimize the potential for contamination of the potable water supply well. (Section 14.2(c) of the Act)
- e) The Board shall grant an exception, whenever it is found upon presentation of adequate proof, that compliance with the setback requirements of this Section would pose an arbitrary and unreasonable hardship upon the petitioner, that the petitioner will utilize the best available technology control economically achievable to minimize the likelihood of contamination of the potable water supply well, that the maximum feasible alternative setback will be utilized, and that the location of such potential source or potential route will not constitute a significant hazard to the potable water supply well.  
(Section 14.2(c) of the Act)
- f) A decision made by the Board pursuant to this subsection shall constitute a final determination. (Section 14.2(c) of the Act)
- g) The granting of an exception by the Board shall not extinguish the water well owner's rights under Section 6b of the Illinois Water Well Construction Code in instances where the owner has elected to provide a waiver pursuant to subsection (a) of this Section. (Section 14.2(c) of the Act)

(Source : Amended at 21 Ill. Reg. \_\_\_\_\_ )

effective \_\_\_\_\_

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

## SUBPART F: ON-SITE SURFACE IMPOUNDMENTS

## Section Subpart 616.447 Closure and Post-Closure Care

- a) If closure is to be by removal, the owner or operator shall remove all waste, all waste residues, contaminated containment system components (liners, etc.), contaminated subsoils and structures and equipment contained with waste and leachate; and if disposed of in the State of Illinois, dispose of them at a disposal site permitted by the Agency under the Act.
- If closure is not to be by removal, the owner or operator shall comply with the requirements of Subpart C and shall:
- 1) Eliminate free liquids by cementing liquid wastes or solidifying the remaining wastes and waste residues;
  - 2) Stabilize remaining wastes to a bearing capacity sufficient to support a final cover;
  - 3) Cover the surface impoundment unit with a final cover designed and constructed to:
- A) Provide long-term minimization of the migration of liquids through the closed impoundment unit;
- B) Function with minimum maintenance;
- C) Promote drainage and minimize erosion or abrasion of the final cover;
- D) Accommodate settling and subsidence so that the cover's integrity is maintained; and
- E) Have a permeability less than or equal to the permeability of some waste residues or contaminated materials are left in place at final closure, the owner or operator shall comply with the requirements of Subpart C and shall for a period of 5 years after closure:
- 1) Maintain the integrity and effectiveness of the final cover, including making repairs to the cap as necessary to correct the effects of settling, subsidence, erosion or other events;
  - 2) Maintain and monitor the groundwater monitoring system; and
  - 3) Prevent run-on and runoff from eroding or otherwise damaging the final cover.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Medical Assistance Programs

- 1) Heading of the Part: Medical Assistance Programs
- 2) Code Citation: 99 Ill. Adm. Code 120
- 3) Sections: 120.372  
Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ICS 5/1-13]
- 5) Complete Description of the Subject and Issues Involved: Amendments were adopted on December 9, 1996, to implement several budgeting changes in the MANG budgeting process. One of the adopted changes involved the averaging of income of self-employed persons over the year. The Department has now determined that averaging the income of self-employed persons over the year cannot be implemented. Since the problems with implementation of this change were discovered after the proposed changes were reviewed by the Joint Committee on Administrative Rules, the change could not be deleted from the rulemaking. Therefore, these amendments are being proposed to delete the provisions on averaging income of self-employed persons.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes
- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of total government.
- 11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, view, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to

Judy Uanna

Bureau of Rules and Regulations  
Illinois Department of Public Aid  
100 South Grand Ave. E., 3rd Floor  
Springfield, Illinois 62762

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

(217) 524-3215

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act (5 ILCS 100/5-40).

The Department is unaware of any effect this rulemaking may have on small businesses, small municipalities or non-for-profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to these proposed amendments. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act (5 ILCS 100/5-30). These entities shall indicate their status as small businesses, small municipalities, or non-for-profit corporations as part of any written comments they submit to the Department.

## 12 | Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping, or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None

13) Regulatory agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent agendas because it was not anticipated by the Department when the two most recent regulatory agendas were published.

The full text of the Proposed Amendments begins on the next page:

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## TITLE 89: SOCIAL SERVICES

## CHAPTER I: DEPARTMENT OF PUBLIC AID

## SUBCHAPTER b: ASSISTANCE PROGRAMS

## PART 120

## MEDICAL ASSISTANCE PROGRAMS

## SUBPART A: GENERAL PROVISIONS

Section  
120.1 Incorporation By Reference

## SUBPART B: ASSISTANCE STANDARDS

Section 120.10 Eligibility For Medical Assistance	Eligibility For Medical Assistance For Pregnant Women and Children Born October 1, 1983, or Later Who Do Not Qualify As Mandatory Categorically Needy (MANCIP) Program
120.11 Eligibility	Eligibility Start - Medicaid Presumptive Eligibility Program For Pregnant Women
120.12 AMI Income Standard	AMI Income Standard (Repealed)
120.20 MANG(AND) Income Standard	MANG(C) Income Standard
120.30 MANG(P) Income Standard	Exceptions To Use of MANG Income Standard

## SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section 120.60 All Cases Other Than Intermediate Care, Skilled Nursing Care, DMRDD, DMRDD Approved Community Based Settings and Pregnant Women and Children Born October 1, 1983, or Later Who Do Not Qualify As Mandatory Categorically Needy	DMRDD Cases in Intermediate Care, Skilled Nursing Care and DMRDD - MANG(AND) and All Other Licensed Medical Facilities DMRDD Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Under 89 Ill. Adm. Code 120.643
120.63 Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings	Pregnant Women and Children Born October 1, 1983, or Later Who Do Not Qualify As Mandatory Categorically Needy (MANCIP) Program
120.64 Department of Mental Health and Developmental Disabilities (DMHDD)	Licensed Community - Integrated Living Arrangements
120.65	

## SUBPART D: SUPPLEMENTARY MEDICAL INSURANCE

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 120.70	Supplementary Medical Insurance Benefits (SMIB) Buy-In Program
120.72	Eligibility for Medicare Cost Sharing as a Qualified Medicare Beneficiary (QMB)
120.73	Eligibility for Medical Payment of Medicare Beneficiary (SPMB) Income Standard
120.74	Specified Low-Income Medicare Beneficiary (SLIB) Income Standard
120.75	Qualified Low-Income Medicare Beneficiary (QMB) Income Standard
120.76	Hospital Insurance Benefits (HIB)

## SUBPART E: RECIPIENT RESTRICTION PROGRAM

## Section 120.80 Recipient Restriction Program

## SUBPART F: MIGRANT MEDICAL PROGRAM

## Section 120.90 Migrant Medical Program

## Section 120.91 Income Standards

## SUBPART G: AID TO THE MEDICALLY INDIGENT

Section 120.200	Elimination Of Aid to The Medically Indigent
120.208	Citizen Cooperation (Repealed)
120.210	Citizenship (Repealed)
120.211	Residence (Repealed)
120.212	Age (Repealed)
120.213	Relationship (Repealed)
120.215	Living Arrangement (Repealed)
120.217	Supplemental Payments (Repealed)
120.219	Institutional Status (Repealed)
120.220	Postr Care Programs (Repealed)
120.225	Social Security Numbers (Repealed)
120.230	Unearned Income (Repealed)
120.232	Exempt Unearned Income (Repealed)
120.236	Education Benefits (Repealed)
120.246	Unearned Income In-Kind (Repealed)
120.248	Barnarded Income (Repealed)
120.249	Lump Sum Payments and Income Tax Refunds (Repealed)
120.255	Protected Income (Repealed)
120.260	Earned Income (Repealed)
120.261	Budgeting Earned Income (Repealed)
120.262	Exempt Earned Income (Repealed)
120.270	Recognized Employment Expenses (Repealed)
120.271	Income From Work/Study/Training Program (Repealed)
120.272	Earned Income From Self-Employment (Repealed)
120.290	Persons Who May Be Included in the Assistance Unit (Repealed)
120.295	Payment: Levels for AMI (Repealed)

## SUBPART H: MEDICAL ASSISTANCE - NO GRAVE

Section 120.273	Earned Income From Roomer and Boarder (Repealed)
120.275	Earned Income In-Kind (Repealed)
120.276	Payments from the Illinois Department of Children and Family Services (Repealed)
120.280	Assets (Repealed)
120.281	Exempt Assets (Repealed)
120.282	Asset Disregards (Repealed)
120.283	Deferral of Consideration of Assets (Repealed)
120.284	Spend-down of Assets (AMI) (Repealed)
120.285	Property Transfers (Repealed)
120.290	Persons Who May Be Included in the Assistance Unit (Repealed)
120.295	Payment: Levels for AMI (Repealed)

## SUBPART H: MEDICAL ASSISTANCE - NO GRAVE

Section 120.308	Client Cooperation
120.309	Caretaker Relative
120.310	Citizenship
120.311	Residence
120.312	Age
120.313	Disabled
120.314	Relationship
120.315	Living Arrangements
120.316	Supplemental Payments
120.318	Institutional Status
120.319	Cooperation of Rights to Medical Support and Collection of Payment
120.320	Cooperation in Establishing Paternity and Obtaining Medical Support
120.321	Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.321	Proof of Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.323	Suspension of Partnership and Obtaining Medical Support
120.324	Upon Finding Good Cause
120.326	Health Insurance Premium Payment (HIP) Program
120.326	Poster Care Program
120.326	Social Security Numbers
120.327	Unearned Income
120.330	Budgeting Unearned Income
120.335	Except Unearned Income
120.336	Education Benefits
120.338	Incentive Allowance
120.340	Unearned Income In-Kind
120.342	Court Ordered Child Support Payments of Parent/Step-Parent
120.345	Barnarded Income
120.346	Medicaid Qualifying Trusts

PREDATOR-MIMICRY ON PREDY TO AND

DYNAMIC ON THE GRID 173

卷之三

卷之三

- |          |   |  |
|----------|---|--|
| 20.0.347 | Treatment of Trusts   | Property Transfers for Applications Filed Prior to October 1, 1993   |
| 20.0.350 | Lump Sum Payments and Income Tax Refunds  | Property Transfers Occurring On or Before August 10, 1993  |
| 20.0.355 | Protected Income  | Property Transfers Occurring On or After August 11, 1993   |
| 20.0.360 | Earned Income   | Persons Who May Be Included In The Assistance Unit   |
| 20.0.361 | Budgeting Earned Income   | Individuals Under Age 18 Who Do Not Qualify As Mandatorily Eligible For AFDC/ADC-MANG  |
| 20.0.362 | Exempt Earned Income  | Children Born October 1, 1983, or Later (MANG(P) Program)  |
| 20.0.363 | Barned Income Disregard   | Pregnant Women Who Would Not Qualify As Mandatorily Eligible For AFDC/ADC-MANG   |
| 20.0.364 | Barned Income Exemption   | Childs Were Already Born Or Who Do Not Qualify As Categorically Needy (MANG(P))  |
| 20.0.366 | Exclusion From Earned Income  | Categorically Needy Women and Children Under Age Eight Years Who Do Not Qualify As Mandatorily Categorically Needy Demonstration Project |
| 20.0.370 | Recognized Employment Expenses  | Payment Levels for MANG (Benzene)  |
| 20.0.371 | Income From Work/Study/Training Programs  |  |
| 20.0.372 | Earned Income From Self-Employment  |  |
| 20.0.373 | Earned Income From Renter and Boarder   |  |
| 20.0.375 | Earned Income In Kind   |  |
| 20.0.376 | Payments from the Illinois Department of Children and Family Services Assets          |  |
| 20.0.377 | Payments from the Prevention of Spousal Empowerment Assets                            |  |
| 20.0.379 | Exempt Assets   |  |
| 20.0.380 | Asset Disregard   |  |
| 20.0.382 | Deferment of Consideration of Assets  |  |
| 20.0.383 | Spend-down of Assets (MANG)   |  |
| 20.0.384 | Property Transfers for Applications Filed Prior to October 1, 1993                    |  |
| 20.0.385 | (Repealed)  |  |
| 20.0.386 | Property Transfers Occurring On or Before August 10, 1993                             |  |
| 20.0.387 | Property Transfers Occurring On or After August 11, 1993                              |  |
| 20.0.390 | Persons Who May Be Included In The Assistance Unit                                    |  |
| 20.0.391 | Individuals Under Age 18 Who Do Not Qualify As Mandatorily Eligible For AFDC/ADC-MANG |  |
| 20.0.392 | Children Born October 1, 1983, or Later (MANG(P) Program)                             |  |
| 20.0.393 | Pregnant Women Who Would Not Qualify As Mandatorily Eligible For AFDC/ADC-MANG        |  |
| 20.0.395 | Childs Were Already Born Or Who Do Not Qualify As Categorically Needy (MANG(P))       |  |

Redetermination of Eligibility 20.399

TABLE A  
Value of  $\lambda$  LLE

**SECTION APPROVED**  
**DEPARTMENT OF HUMAN SERVICES**  
**EDUCATION AUTHORITY: Implementing Articles III, IV, V and VI and authorized by Section  
2-12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V and VI and  
2-13].**

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

SUPPLIES: MEDICAL ASSISTANCE = NO GRANT

- a) Income realized from self-employment is considered earned income.
  - b) Accurate and complete records shall be kept on all monies received and spent through self-employment. If the individual fails or refuses to maintain complete business records, the assistance unit is ineligible.
  - c) Business expenses must be verified. The individual has full responsibility for proof of any business expense. No deductions are allowed for depreciation, obsolescence and/or similar losses in the operation of the business. Gross income from the business is turned back into the business only to replace stock actually sold.
  - d) The net income is the gross remaining after the replacement of stock and business expenses have been considered, and the appropriate employment expenses and child care expenses as specified in Section 113, have been deducted. The earned income exemption, if applicable, is computed on the net income.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

**e)** To-determine-the-amount-of-self-employment-income--to-be--considered--the-verified-income-from-the-prior-year--in-initiated-to-a-monthly--amounts---  
 unless:  
 1) the person was not self-employed-in-the-previous-calendar-year?  
 2) the person has "valid" reasons-to-anticipate--that--the-income-expectation--to-be-received-during-the-current-calendar-year--will-be-in-a-different-amount?

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Medicaid Payment  
 2) Code Citation: 89 Ill. Adm. Code 140  
 3) Section Number: 140.463  
 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Committee Description of the Subjects and Issues Involved: These proposed amendments provide transitional payments for Federally Qualified Health Centers (FQHC) and certain encounter rate clinics for managing the health care needs of some clients under their care.

These changes concerning reimbursement for clinic services are a component of the Department's plan to ensure that access to health care is maintained and enhanced during this transition period to managed care under MediPlan Plus. It is expected that these new transitional payments will assist clinics in managing the health care of certain clients, maintain viability of providers that are critical to the delivery of primary care services to the Medicaid population, and encourage participation by providers in MediPlan Plus.

It is anticipated that transitional payments to clinics under these proposed amendments will result in an increase in expenditures of approximately \$1.5 million for fiscal year 1997.

6) Will these proposed amendments replace emergency amendments currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No  
 8) Do these proposed amendments contain incorporations by reference? No  
 9) Are there any other proposed amendments pending on this Part? Yes
- Sections Proposed Action Illinois Register Citation  
 140.569 Amendment July 26, 1996 (20 Ill. Reg. 9810)  
 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.  
 11) Time, Place, and Manner in which Interested Persons may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to: Joanne Jones

ILLINOIS REGISTER

96

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Bureau of Rules and Regulations  
Illinois Department of Public Aid  
100 South Grand Ave., E., 3rd Floor  
Springfield, Illinois 62762

Phone: (217) 524-0081

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

Any interested persons may review these amendments at the Department of Public Aid's local offices located in each county (except Cook County). In Cook County, the amendments will be reviewed at the Office of the Director, Illinois Department of Public Aid, 310 South Michigan Avenue, Suite 1700, Chicago, Illinois. The amendments may be reviewed at all offices Monday through Friday from 8:30 A.M. until 5:00 P.M. These copies of the amendments are being made available for review in accordance with federal requirements at 42 CFR 447.205.

These proposed amendments may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities or not-for-profit corporations as part of any written comments they submit to the Department.

12) Initial Regulatory Flexibility Analysis:

A) Impact of small businesses, small municipalities and not-for-profit corporations affected: The department is unaware of any effect this rulemaking may have on small businesses, small municipalities or not-for-profit corporations. The department will accept and consider any written comments concerning such effects that may be submitted in response to these proposed amendments.

B) Reportable, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary for compliance: None

D) Regulatory agenda on which this rulemaking was summarized: July 1996

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

The full text of the proposed Amendments begins on the next page:

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## TITLE 89; SOCIAL SERVICES

## CHAPTER I: DEPARTMENT OF PUBLIC AID

## SUBCHAPTER d: MEDICAL PROGRAMS

PART 140  
MEDICAL PAYMENT

## SUBPART A: GENERAL PROVISIONS

Section	Incorporation By Reference	140.1
	Medical Assistance Programs	140.2
	Covered Medical Services Under Medical Assistance Programs	140.3
	Covered Medical Services Under ADPC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)	140.4
	Covered Medical Services Under General Assistance	140.5
	Medical Services Not Covered	140.6
	Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for ADPC and Children Under Age Eight	140.7
	Medical Assistance For Qualified Severely Impaired Individuals	140.8
	Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for ADPC/ATDC-NANC if the Child Were Already Born Or Who Do Not Qualify As Mandatorily Categorically Needy	140.9
	Medical Assistance provided to Incarcerated Persons	140.10

## SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section	Enrollment Conditions for Medical Providers	140.11
	Participation Requirements for Medical Providers	140.12
	Definitions	140.13
	Denial of Application to Participate in the Medical Assistance Program	140.14
	Recovery of Money	140.15
	Termination or Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program	140.16
	Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program	140.17
	Effect of Termination on Individuals Associated with Vendor	140.18
	Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring	140.19
	Submission of Claims	140.20
	Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)	140.21
	Magnetic Tape Billings	140.22
	Payment of Claims	140.23
	Payment procedures	140.24
	Overpayment or Underpayment of Claims	140.25
	Payment to Factors Prohibited	140.26

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section	Publication of List of Terminated, Suspended or Barred Entities	140.33
	False Reporting and Other Fraudulent Activities	140.34
	Electronic Agency Services Audits	140.31
	Participation on Prior Approval	140.32
	Prior Approval for Medical Services or Items	140.41
	Limitation on Cases of Emergency	140.42
	Prior Approval for Items or Services When Prior Approval Cannot Be Obtained	140.43
	Reimbursement for Medical Services through the Use of a C-13 Invoice	140.55
	Voucher Advance Payment and Expedited Payments	140.71
	Drug Manual (Recodified)	140.72
	Drug Manual Updates (Recodified)	140.73
	SUBPART C: PROVIDER ASSESSMENTS	
	Hospital Provider Fund	140.80
	Developmentally Disabled Care Provider Fund	140.82
	Long Term Care Provider Fund	140.84
	Medicaid Developmentally Disabled Provider Participation Fee Trust Fund	140.94
	Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund	140.95
	Hospital Services Trust Fund	140.96
	General Requirements (Recodified)	140.97
	Covered Hospital Services (Recodified)	140.98
	Bone Marrow Transplants (Recodified)	140.99
	Disproportionate Share Hospital Adjustments (Recodified)	140.100
	Limited On Hospital Services (Recodified)	140.101
	Transplants (Recodified)	140.102
	Heart Transplants (Recodified)	140.103
	Liver Transplants (Recodified)	140.104
	Bone Marrow Transplants (Recodified)	140.105
	Proportional Share Hospital Adjustments (Recodified)	140.106
	Payment for Inpatient Services for GA (Recodified)	140.110
	Hospital Outpatient and Clinic Services (Recodified)	140.111
	Payment for Hospital Services During Fiscal Year 1992 (Recodified)	140.200
	Paid for Hospital Services After June 30, 1992 (Repealed)	140.201
	Payment for Hospital Services During Fiscal Year 1993 (Recodified)	140.202
	Limits on Length of Stay by Diagnosis (Recodified)	140.203
	Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)	140.300
	Copayments (Recodified)	140.350
	Payment Methodology (Recodified)	140.360

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

140.361 Non-Participating Hospitals (Recodified)	140.429 Limitations on Chiropractic Services (Repealed)
140.362 Pre July 1, 1989 Services (Recodified)	140.430 Independent Laboratory Services
140.363 Post June 30, 1989 Services (Recodified)	Services Not Covered by Independent Laboratory Services
140.364 Prepayment Review (Recodified)	140.432 Limitations on Independent Laboratory Services
140.365 Restructuring Adjustment (Recodified)	140.433 Payment for Laboratory Services
140.366 Groupings (Recodified)	140.434 Record Requirements for Independent Laboratories
140.367 Inflation Adjustment (Recodified)	140.435 Nurse Services
140.368 Volume Adjustment (Recodified)	140.436 Limitations on Nurse Services
140.369 Groupings (Recodified)	140.440 Pharmacy Services
140.370 Rate Calculation (Recodified)	140.441 Pharmacy Services Not Covered
140.371 Payment (Recodified)	140.442 Prior Approval of Prescriptions
140.372 Review Procedure (Recodified)	140.443 Filling of Prescriptions
140.373 Utilization (Recodified)	140.444 Compounded Prescriptions
140.374 Alternatives (Recodified)	140.445 Legend Prescription Items (Not Compounded)
140.375 Exemptions (Recodified)	140.446 Over-the-Counter Items
140.376 Utilization, Case-Mix and Discretionary Funds (Repealed)	140.447 Reimbursement Items
Subacute Alcoholism and Substance Abuse Services (Recodified)	140.448 Returned Pharmacy Items
140.391 Definitions (Recodified)	140.449 Payment of Pharmacy Items
140.392 Types of Subacute Alcoholism and Substance Abuse Services (Recodified)	140.450 Record Requirements for Pharmacies
140.393 Definitions (Recodified)	140.451 Mental Health Clinic Services
140.394 Payment for Subacute Alcoholism and Substance Abuse Services (Recodified)	140.452 Definitions
140.395 Rate Appeals for Subacute Alcoholism and Substance Abuse Services (Recodified)	140.453 Types of Mental Health Clinic Services
140.396 Hearings (Recodified)	140.454 Payment for Mental Health Clinic Services
140.398 Hearings (Recodified)	140.455 Hearings
	140.456 Therapy Services
	140.457 Prior Approval for Therapy Services
	140.458 Payment for Therapy Services
	140.459 Clinic Services
	140.460 Clinic Participation, Data and Certification Requirements
Section	140.461 Covered Services in Clinics
140.400 Payment to Practitioners, Nurses and Laboratories	140.462 Clinic Service Payment
140.401 Physicians' Services	140.463 Healthy Kids Managed Care Clinics (Repealed)
140.410 Covered Services By Physicians	140.464 Speech and Hearing Clinics (Repealed)
140.411 Services Not Covered By Physicians	140.465 Rural Health Clinics
140.412 Limitation on Physician Services	140.466 Independent Clinics
140.413 Requirements for Physician Services	140.467
140.414 Requirements for Prescriptions and Dispensing of Items - Physicians	140.468 Home Health Services
140.415 Optometric Services and Materials	140.469 Types of Home Health Services
140.417 Limitations on Optometric Services	140.470 Prior Approval for Home Health Services
140.418 Department of Corrections Laboratory	140.471 Medical Equipment, Supplies and Prosthetic Devices for Which Payment Will Not Be Made
140.420 Dental Services	140.472 Limitations on Equipment, Supplies and Prosthetic Devices
140.421 Limitations on Dental Services	140.473 Prior Approval for Medical Equipment, Supplies and Prosthetic Devices
140.422 Items - Dentists	140.474 Equipment, Supplies and Prosthetic Devices
140.425 Podiatry Services	140.475 Medical Equipment, Supplies and Prosthetic Devices
140.426 Limitations on Podiatry Services	140.476
140.427 Requirements for Prescriptions and Dispensing of Items - Podiatrists	140.477 Limitations on Equipment, Supplies and Prosthetic Devices
140.428 Chiropractic Services	140.478 Prior Approval for Medical Equipment, Supplies and Prosthetic Devices
	140.479 Equipment Rental Limitations

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

140.429 Limitations on Chiropractic Services (Repealed)	140.429 Limitations on Chiropractic Services (Repealed)
140.430 Independent Laboratory Services	140.430 Independent Laboratory Services
Services Not Covered by Independent Laboratory Services	140.432 Limitations on Independent Laboratory Services
140.432 Limitations on Independent Laboratory Services	140.433 Payment for Laboratory Services
140.433 Payment for Laboratory Services	140.434 Record Requirements for Independent Laboratories
140.434 Record Requirements for Independent Laboratories	140.435 Nurse Services
140.435 Nurse Services	140.436 Limitations on Nurse Services
140.436 Limitations on Nurse Services	140.440 Pharmacy Services
140.440 Pharmacy Services	140.441 Pharmacy Services Not Covered
140.441 Pharmacy Services Not Covered	140.442 Prior Approval of Prescriptions
140.442 Prior Approval of Prescriptions	140.443 Filling of Prescriptions
140.443 Filling of Prescriptions	140.444 Compounded Prescriptions
140.444 Compounded Prescriptions	140.445 Legend Prescription Items (Not Compounded)
140.445 Legend Prescription Items (Not Compounded)	140.446 Over-the-Counter Items
140.446 Over-the-Counter Items	140.447 Reimbursement Items
140.447 Reimbursement Items	140.448 Returned Pharmacy Items
140.448 Returned Pharmacy Items	140.449 Payment of Pharmacy Items
140.449 Payment of Pharmacy Items	140.450 Record Requirements for Pharmacies
140.450 Record Requirements for Pharmacies	140.451 Mental Health Clinic Services
140.451 Mental Health Clinic Services	140.452 Definitions
140.452 Definitions	140.453 Types of Mental Health Clinic Services
140.453 Types of Mental Health Clinic Services	140.454 Payment for Mental Health Clinic Services
140.454 Payment for Mental Health Clinic Services	140.455 Hearings
140.455 Hearings	140.456 Therapy Services
140.456 Therapy Services	140.457 Prior Approval for Therapy Services
140.457 Prior Approval for Therapy Services	140.458 Payment for Therapy Services
140.458 Payment for Therapy Services	140.459 Clinic Services
140.459 Clinic Services	140.460 Clinic Participation, Data and Certification Requirements
140.460 Clinic Participation, Data and Certification Requirements	140.461 Covered Services in Clinics
140.461 Covered Services in Clinics	140.462 Clinic Service Payment
140.462 Clinic Service Payment	140.463 Healthy Kids Managed Care Clinics (Repealed)
140.463 Healthy Kids Managed Care Clinics (Repealed)	140.464 Speech and Hearing Clinics (Repealed)
140.464 Speech and Hearing Clinics (Repealed)	140.465 Rural Health Clinics
140.465 Rural Health Clinics	140.466 Independent Clinics
140.466 Independent Clinics	140.467
140.467	140.468 Home Health Services
140.468 Home Health Services	140.469 Types of Home Health Services
140.469 Types of Home Health Services	140.470 Prior Approval for Home Health Services
140.470 Prior Approval for Home Health Services	140.471 Medical Equipment, Supplies and Prosthetic Devices for Which Payment Will Not Be Made
140.471 Medical Equipment, Supplies and Prosthetic Devices for Which Payment Will Not Be Made	140.472 Limitations on Equipment, Supplies and Prosthetic Devices
140.472 Limitations on Equipment, Supplies and Prosthetic Devices	140.473 Prior Approval for Medical Equipment, Supplies and Prosthetic Devices
140.473 Prior Approval for Medical Equipment, Supplies and Prosthetic Devices	140.474 Equipment, Supplies and Prosthetic Devices
140.474 Equipment, Supplies and Prosthetic Devices	140.475 Medical Equipment, Supplies and Prosthetic Devices
140.475 Medical Equipment, Supplies and Prosthetic Devices	140.476
140.476	140.477 Limitations on Equipment, Supplies and Prosthetic Devices
140.477 Limitations on Equipment, Supplies and Prosthetic Devices	140.478 Prior Approval for Medical Equipment, Supplies and Prosthetic Devices
140.478 Prior Approval for Medical Equipment, Supplies and Prosthetic Devices	140.479 Equipment Rental Limitations
140.479 Equipment Rental Limitations	140.480

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

140-481	Payment for Medical Equipment, Supplies and Prosthetic Devices
140-482	Family Planning Services
140-483	Limitations on Family Planning Services
140-484	Payment for Family Planning Services
140-485	Healthy Kids Program
140-486	Limitations on Medicheck Services (Repealed)
140-487	Healthy Kids Program Timeliness Standards
140-488	Periodicity Schedule, Immunizations and Diagnostic Laboratory Procedures
140-490	Medical Transportation
140-491	Limitations on Medical Transportation
140-492	Payment for Medical Transportation
140-493	Payment for Helicopter Transportation
140-495	Psychological Services
140-496	Payment for Psychological Services
140-497	Rearing Aids

## SUBPART E: GROUP CARE

Section	Long Term Care Services
140-500	Cessation of Payment at Federal Direction
140-502	Cessation of Payment for Improper Level of Care
140-503	Cessation of Payment for Termination of Facility
140-504	Cessation of Payment Because of Threat to Life (Repealed)
140-505	Continuation of Payment Because of Threat to Life (Repealed)
140-506	Provider Voluntary Withdrawal
140-507	Continuation of Provider Agreement
140-508	Determination of Need for Group Care
140-511	Long Term Care Services Covered by Department Payment
140-512	Utilization Control Plan (Repealed)
140-513	Utilization Review Plan (Repealed)
140-514	Certifications and Recertifications of Care
140-515	Management of Recipient Funds--Personal Allowance Funds
140-516	Recipient Management of Funds
140-517	Correspondent Management of Funds
140-518	Facility Management of Funds
140-519	Use or Accumulation of Funds
140-520	Management of Recipient Funds--Local Office Responsibility
140-521	Room and Board Accounts
140-522	Reconciliation of Recipient Funds
140-523	Bed Reserves
140-524	Cessation of Payment Due to Loss of License
140-525	Quality Incentive Program (QIP) Payment Levels
140-526	Quality Incentive Standards and Criteria for the Quality Incentive Program (QIP) (Repealed)
140-527	Quality Incentive Survey (Repealed)
140-528	Payment of Quality Incentive (Repealed)
140-529	Reviews (Repealed)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

	NOTICE OF PAYMENT FOR LONG TERM CARE SERVICES
140-530	Basis of Payment for Long Term Care Services
140-531	General Service Costs
140-532	Health Care Costs
140-533	General Administration Costs
140-534	Ownership Costs
140-535	Cost for Interest, Taxes and Rent
140-536	Organization and Pre-Operating Costs
140-537	Payments to Related Organizations
140-538	Special Costs
140-539	Reimbursement for Basic Nursing Assistant, Developmental Disabilities Aide, Basic Child Care Aide and Rehabilitation Aide Training and Nursing Assistant Competency Evaluation
140-540	Costs Associated With Nursing Home Care Reform Act and Implementing Regulations
140-541	Salaries Paid to Owners or Related Parties
140-542	Cost Reports--Filing Requirements
140-543	Time Standards for Filing Cost Reports
140-544	Access to Cost Reports (Repealed)
140-545	Penalty for Failure to File Cost Reports
140-550	Update of Operating Costs
140-551	General Service Costs
140-552	Nursing and Program Costs
140-553	General Administrative Costs
140-554	Component Inflation Index
140-555	Minimum Wage
140-560	Components of the Base Rate Determination
140-561	Support Costs Components
140-562	Nursing Costs
140-563	Capital Costs
140-565	Kosher Kitchen Reimbursement
140-566	Out-of-State Placement
140-567	Level II Incentive Payments (Repealed)
140-568	Duration of Incentive Payments (Repealed)
140-569	Clients With Exceptional Care Needs
140-570	Capital Rate Component Determination
140-571	Capital Rate Calculation
140-572	Total Capital Rate
140-573	Other Capital Provisions
140-574	Capital Rates for Rented Facilities
140-575	Newly Constructed Facilities (Repealed)
140-576	Renovations (Repealed)
140-578	Property Taxes
140-579	Specialized Living Centers
140-580	Mandated Capital Improvements (Repealed)
140-581	Qualifying as Mandated Capital Improvement (Repealed)
140-582	Cost Adjustments
140-583	Campus Facilities

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- 140.584 Illinois Municipal Retirement Fund (IMRF) Audit and Record Requirements
- 140.590 Screening Assessment for Nursing Facility and Alternative Residential Services
- 140.642 In-Home Care Program
- 140.643 In-Home and Community Based Services Waivers for Medically Fragile, Technology Dependent, Disabled Persons Under Age 21 Individuals with Developmental Disabilities Who Reside in Long Term Care (ICF and SNF) and Residential (ICF/NR) Facilities
- 140.647 Description of Developmental Training (DT) Services Determination of the Amount of Reimbursement for Developmental Training (DT) Programs
- 140.649 Effective Dates of Reimbursement for Developmental Training (DT) Programs
- 140.650 Certification of Developmental Training (DT) Programs
- 140.651 Decertification of Day Programs
- 140.652 Terms of Assurances and Contracts
- 140.680 Effective Date Of Payment Rate Determinations
- 140.700 Discharge of Long Term Care Residents
- 140.830 Appeals of Rate Determinations
- 140.835 Determination of Cap on Payments for Long Term Care (Repealed)

## SUBPART F: MEDICAID PARTNERSHIP PROGRAM

- Section 140.850 General Description (Repealed)
- 140.855 Definition of Terms (Repealed)
- 140.860 Covered Services (Repealed)
- 140.865 Sponsor Qualifications (Repealed)
- 140.870 Sponsor Responsibilities (Repealed)
- 140.875 Department Responsibilities (Repealed)
- 140.880 Provider Qualifications (Repealed)
- 140.885 Provider Responsibilities (Repealed)
- 140.890 Payment Methodology (Repealed)
- 140.895 Contract Monitoring (Repealed)
- 140.896 Reimbursement for Program Costs (Active Treatment) for Clients in Long Term Care Facilities For the Developmentally Disabled (Repealed)
- 140.900 Reimbursement for Nursing Costs For Geriatric Residents in Group Care Facilities (Repealed)
- 140.901 Functional Areas of Needs (Repealed)
- 140.902 Service Needs (Repealed)
- 140.903 Definitions (Repealed)

Section 140.904 Times and Staff Levels (Repealed)

140.905 Statewide Rates (Repealed)

140.906 Recorders (Repealed)

140.907 Midnight Census Report (Repealed)

140.908 Statewide Levels (Repealed)

140.909 Referrals (Repealed)

140.910 Basic Rehabilitation Aide Training Program (Recodified)

140.911 Interim Nursing Rates (Recodified)

140.920 General Description

140.922 Covered Services

140.924 Maternal and Child Health Provider Participation Requirements

140.926 Client Eligibility (Repealed)

140.928 Client Enrollment and Program Components (Repealed)

140.930 Reimbursement for Referrals (Repealed)

140.932 Payment Authorization for Referrals (Repealed)

Section 140.940 Illinois Competitive Access and Reimbursement Equity (ICARE) Program (Recodified)

140.942 Definition of Terms (Recodified)

140.944 Negotiation in ICARE Program Negotiations (Recodified)

140.946 Hospital Participation in ICARE Program (Recodified)

140.948 Negotiation Procedures (Recodified)

140.950 Factors Considered in Awarding ICARE Contracts (Recodified)

140.952 Claiming an ICARE Area (Recodified)

140.954 Administrative Review (Recodified)

140.956 Payments to Contracting Hospitals (Recodified)

140.958 Admitting and Clinical Privileges (Recodified)

140.960 Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment (Recodified)

140.962 Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Recodified)

140.964 Contract Monitoring (Recodified)

140.966 Transfer of Recipients (Recodified)

140.968 Validity of Contracts (Recodified)

140.970 Termination of ICARE Contracts (Recodified)

140.972 Hospital Services Procurement Advisory Board (Recodified)

SUBPART G: MATERNAL AND CHILD HEALTH PROGRAM

TABLE A Medicare Recommended Screening Procedures (Repealed)

TABLE B Health Service Areas

TABLE C Capital Cost Areas

TABLE D Schedule of Dental Procedures

TABLE E Time Limits for Processing of Prior Approval Requests

TABLE F Podiatry Service Schedule



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

at 12 Ill. Reg. 1097, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11866; effective July 1, 1988; for a maximum of 150 days; amended at 12 Ill. Reg. 1509, effective July 15, 1988; amended at 12 Ill. Reg. 14271; effective August 19, 1988; emergency amendment at 12 Ill. Reg. 16521; effective September 28, 1988; for a maximum of 150 days; amended at 12 Ill. Reg. 16738; effective October 5, 1988; amended at 12 Ill. Reg. 17879; effective October 24, 1988; amended at 12 Ill. Reg. 18198; effective November 6, 1988; amended at 12 Ill. Reg. 13396, effective November 1, 1988; effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective March 17, 1989; amended at 13 Ill. Reg. 3351; effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective April 3, 1989; amended at 13 Ill. Reg. 5115; effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; amended at 12 Ill. Reg. 10226; effective April 14, 1989; Sections 10-850 thru 10-896 recodified to 89 Ill. Adm. Code 145.3 thru 146.25; at 13 Ill. Reg. 7786; effective May 20, 1989; Sections 10-94 thru 10-98 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 5972; emergency amendment at 13 Ill. Reg. 19977, effective July 1, 1989; for a maximum of 150 days; emergency expanded at 14 Ill. Reg. 21, 1989; amended at 13 Ill. Reg. 11516, effective July 7, 1989; amended at 13 Ill. Reg. 12119, effective July 1, 1989; Sections 140-110 received at 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12181; amended at 13 Ill. Reg. 1562, effective July 17, 1989; amended at 13 Ill. Reg. 13391; effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473; effective September 12, 1989; for a maximum of 150 days; amended at 13 Ill. Reg. 16992; effective October 16, 1989; amended at 14 Ill. Reg. 17040; effective December 21, 1989; emergency amendment at 14 Ill. Reg. 15244; effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3341; effective February 14, 1990; for a maximum of 150 days; emergency expanded at 14 Ill. Reg. 4443; effective March 12, 1990; emergency amendment at 11 Ill. Reg. 4577; effective March 6, 1990; for a maximum of 150 days; emergency expanded August 3, 1990; emergency amendment at 14 Ill. Reg. 5575; effective April 1, 1990; for a maximum of 150 days; emergency expanded at 14 Ill. Reg. 14184; effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184; effective August 16, 1990; for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 11570; effective August 22, 1990; for a maximum of 150 days; amended at 14 Ill. Reg. 18186; effective August 31, 1990; amended at 14 Ill. Reg. 15366; effective September 12, 1990; amended at 14 Ill. Reg. 15981; effective September 21, 1990; amended at 14 Ill. Reg. 18057; effective October 24, 1990; amended at 14 Ill. Reg. 18508; effective October 30, 1990; amended at 14 Ill. Reg. 18813; effective November 1, 1990;

amended at 14 Ill. Reg. 1097, effective June 2, 1990; amended at 14 Ill. Reg. 20729; effective December 1, 1990; amended at 15 Ill. Reg. 298, effective January 1, 1991; for a maximum of 150 days; amended at 15 Ill. Reg. 1051; effective January 18, 1991; for a maximum of 150 days; withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6334; effective April 30, 1991; amended at 15 Ill. Reg. 8264; effective May 23, 1991; amended at 14 Ill. Reg. 1097, effective June 17, 1991; amended at 15 Ill. Reg. 10114; effective June 21, 1991; amended at 15 Ill. Reg. 10668; effective July 1, 1991; amended at 15 Ill. Reg. 11176; effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515; effective July 25, 1991; for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919; effective August 15, 1991; for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 13366; effective October 22, 1991; for a maximum of 150 days; amended at 15 Ill. Reg. 17316; effective November 18, 1991; for a maximum of 150 days; amended at 15 Ill. Reg. 17133; effective November 25, 1991; emergency amendment at 16 Ill. Reg. 300; effective December 20, 1991; for a maximum of 150 days; amended at 16 Ill. Reg. 1714; effective December 24, 1991; amended at 16 Ill. Reg. 1877; effective January 24, 1992; amended at 16 Ill. Reg. 3552; effective February 28, 1992; amended at 16 Ill. Reg. 4006; effective March 6, 1992; amended at 16 Ill. Reg. 6010; effective March 20, 1992; amended at 16 Ill. Reg. 6149; effective April 7, 1992; amended at 16 Ill. Reg. 7017; effective April 17, 1992; amended at 16 Ill. Reg. 10305; effective June 5, 1992; amended at 16 Ill. Reg. 11174; effective June 26, 1992; expedited correction at 16 Ill. Reg. 11338; effective March 20, 1992; emergency amendment at 16 Ill. Reg. 11941; effective July 10, 1992; for a maximum of 150 days; amended at 16 Ill. Reg. 12186; effective December 1, 1992; amended at 16 Ill. Reg. 13377; effective August 14, 1992; for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 13377; effective September 21, 1992; for a maximum of 150 days; amended at 16 Ill. Reg. 15109; effective September 21, 1992; for a maximum of 150 days; amended at 16 Ill. Reg. 15561; effective September 30, 1992; amended at 16 Ill. Reg. 17307; effective November 17, 1992; emergency amendment at 16 Ill. Reg. 18097; effective November 17, 1992; for a maximum of 150 days; amended at 16 Ill. Reg. 19146; effective December 1, 1992; amended at 16 Ill. Reg. 19879; effective December 7, 1992; amended at 17 Ill. Reg. 837; effective January 11, 1993; amended at 17 Ill. Reg. 1112; effective February 15, 1993; amended at 17 Ill. Reg. 1933; amended at 17 Ill. Reg. 2290; effective February 15, 1993; amended at 17 Ill. Reg. 2551; effective February 17, 1993; amended at 17 Ill. Reg. 3421; effective February 19, 1993; amended at 17 Ill. Reg. 6196; effective April 5, 1993; amended at 17 Ill. Reg. 6839; effective April 21, 1993; amended at 17 Ill. Reg. 7004; effective April 17, 1993; expedited correction at 17 Ill. Reg. 7078; effective December 1, 1992; emergency amendment at 17 Ill. Reg. 11201; effective July 1, 1993; for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 15162; effective September 2, 1993; for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 1812; effective October 1, 1993; for a maximum of 150 days; amended at 17 Ill. Reg. 18517; effective October 8, 1993; emergency amendment at 17 Ill. Reg. 18611; effective October 1, 1993; for a maximum of 150 days; emergency amendment suspended effective October 12, 1993; emergency amendment at 17 Ill. Reg. 20999; effective November 24, 1993; amended at 17 Ill. Reg.

## DEPARTMENT OF PUBLIC AID

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## NOTICE OF PROPOSED AMENDMENTS

- repealed at 17 Ill. Reg. 25883, effective December 20, 1993; amended at 18 Ill. Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4520, effective March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency amendment at 18 Ill. Reg. 10922, effective July 1, 1994, for a maximum of 150 days; emergency amendment suspended, effective November 15, 1994; emergency amendment repealed at 19 Ill. Reg. 5839, effective April 4, 1995; amended at 18 Ill. Reg. 11244, effective July 1, 1995; amended at 18 Ill. Reg. 14126, effective August 29, 1995; amended at 18 Ill. Reg. 16675, effective November 1, 1995; amended at 18 Ill. Reg. 18059, effective July 1, 1996; amended at 19 Ill. Reg. 1082, effective January 20, 1995; amended at 19 Ill. Reg. 2933, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effective April 1, 1995; for a maximum of 150 days; amended at 19 Ill. Reg. 5663, effective April 1, 1995; amended at 19 Ill. Reg. 7919, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 8455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 9329, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10352, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, effective September 5, 1995; amended at 19 Ill. Reg. 14440, effective September 29, 1995; emergency amendment at 19 Ill. Reg. 14835, effective October 6, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at 19 Ill. Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 1210, effective December 29, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996; amended at 20 Ill. Reg. 5585, effective April 5, 1996; amended at 20 Ill. Reg. 6929, effective May 6, 1996; amended at 20 Ill. Reg. 7922, effective May 31, 1996; amended at 20 Ill. Reg. 9081, effective June 28, 1996; emergency amendment at 20 Ill. Reg. 9312, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 11332, effective July 1, 1996; amended at 20 Ill. Reg. 14815, effective October 31, 1996; amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

## Section 140.463 Clinic Service Payment

- a) Hospital-Based Organized Clinics  
 i) With respect to those hospital-based organized clinics that qualify as Maternal and Child Health Clinics, as described in Section 140.461(f)(1), payment shall be in accordance with Section 140.930.  
 ii) With respect to all other hospital-based organized clinics, payment shall be in accordance with 69 Ill. Adm. Code 148.140.  
 b) Encounter Rate Clinic. Payment shall be made at the lesser of:  
 1) The clinic's approved all inclusive interim per encounter rate as of May 1, 1981; or  
 2) \$50.00 per encounter; or  
 3) the clinic charge to the general public.  
 c) Federally Qualified Health Centers (FQHC)
- G) Payment shall be made the interim rate to FQHCs enrolled before January 1, 1991, for covered services rendered from the later of the date of enrollment or April 1, 1990, until the certified date of provider receipt of the cost-based rate established by the Department for that provider.  
 H) When an individual cost-based rate has been established by the Department in accordance with the method described in subsection (c)(1)(A) above, the Department shall reconnoiter interim payments made for covered services.  
 i) Rate retroactivity from April 1, 1990 will only apply to clinics enrolled as of March 31, 1990, which submit an application to the Public Health Service for Federally Qualified Health Center status by November 1, 1990, and are subsequently designated as Federally

DEPARTMENT OF PUBLIC AID  
NOTICE OF PROPOSED AMENDMENTS

- qualified.
- ii) If the cost-based rate is higher than the interim rate, the Department shall pay the provider the rate differential for each claim paid at the interim rate.
  - iii) If the cost-based rate is lower than the interim rate, the provider shall refund to the Department the rate differential for each claim paid at the interim rate, either by direct payment to the Department or as a credit applied against future service claims.
- I) Interim payment for covered services rendered by FOBCS enrolled on or after January 1, 1991, shall be made at the higher of:
- i) the provider's approved Medicare rate established by the designated Federal intermediary for Rural Health Centers and Federally Funded Health Centers Services; or
  - ii) the median of the statewide range of the Department's established cost-based FOBIC rates in effect at the time of enrollment.
- J) Payment shall be made at the interim rate for Centers enrolled on or after January 1, 1991, for covered services rendered between the date of enrollment and 30 days after the date of Department receipt of the complete and correct cost report of the provider. Payment for covered medical services rendered by the provider 30 days after Department receipt of the provider's complete and correct cost report will be made at the rate determined on the basis of the submitted cost report and the Department's FOBIC rate methodology.
- K) If the FOBIC has not submitted the required audited fiscal information on the forms specified in subsection (c)(1)(A) of this Section within 90 days of the certified date of receipt of the forms, the Department shall suspend payment for covered medical services until the required information is received by the Department, unless the enrolled Center has been in operation less than one year and has no audited cost history.
- L) Enrolled FOBCS which have been in operation less than one year and have no audited cost history must submit required audited fiscal information reflecting the first six months of operation on the forms specified in subsection (c)(1)(A) of this Section within 90 days after the later of the end of the sixth month of operation or the certified date of receipt of the forms. The rate calculated from these costs will be in effect for services rendered on and after the first day of the month following the month of receipt of the required fiscal information by the Department.
- M) The Department will not process a claim for payment of FOBIC

DEPARTMENT OF PUBLIC AID  
NOTICE OF PROPOSED AMENDMENTS

- services rendered after June 30, 1990, that does not indicate all individual medical services delivered during the encounter, by procedure code.
- 2) Dental Encounter Rate
- A) Payment for dental services rendered after March 31, 1990, shall be made at an individual, all inclusive, prospective per diem rate calculated on the basis of the Department's encounter rate methodology and audited provider fiscal information reported on the Medicaid Preexisting Federally-Funded Health Center Worksheet (Health Care Financing Administration Form 242), as supplemented by FOBIC Medical supplemental Schedules A, B, and C reflecting the actual costs of delivering dental services.
- B) Direct costs related to operation of the clinic in order to provide allowable dental services will be reported on the cost report and used in the rate calculation process.
- C) All cost reports will be audited by the Department to determine allowable costs for rate setting. The provider will be advised of any adjustments resulting from these audits.
- D) New rates effective each July 1 will be based on certified cost information from the provider's most recently audited fiscal year.
- E) Allowable costs will be updated to the mid point of the rate year by an inflation factor derived from published economic indices.
- F) Payment for covered dental services shall be made by the Department's prepaid dental service contractor.
- G) When an individual cost-based rate has been established by the Department in accordance with the method described in subsection (c)(2)(A) above, the Department's prepaid dental service contractor shall reconcile interim payments made for covered dental services.
- 1) Rate retroactivity will only apply to clinics enrolled as of March 31, 1990 which submit an application to the Public Health Service for Federally Qualified Health Center status by November 1, 1990, and are subsequently designated as Federally qualified.
- ii) If the cost-based rate is higher than the interim rate, the Department's prepaid dental service contractor shall pay the provider the rate differential for each claim paid at the interim rate.
- iii) If the cost-based rate is lower than the interim rate, the provider shall refund to the Department the rate differential for each claim paid at the interim rate.
- H) Interim payment for covered dental services rendered by FOBCS enrolled on or after January 1, 1991 shall be made at the median of the statewide range of the Department's

## DEPARTMENT OF PUBLIC AID

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- established cost-based FQHC dental rates in effect at the time of enrollment.
- 1) Payment shall be made at the interim rate for Centers enrolled on or after January 1, 1999, for covered dental services rendered between the date of enrollment and 30 days after the date of the Department receipt of the complete and correct cost report of the provider. Payment for covered dental services rendered by the provider after 30 days of Department receipt of the provider's complete and correct cost report will be made at the rate determined on the basis of the submitted cost report and the Department's FQHC.
  - 2) If the FQHC has not submitted the required audited fiscal year forms specified in subsection (c)(2)(A) above within 90 days of the certified mail date of receipt of the forms, the Department's prepaid dental service contractor shall suspend payment for covered dental services until the required information is received by the Department, unless the enrolled Center has been in operation less than one year and has no audited cost history.
  - 3) Enrolled FQHCs which have been in operation less than one year and have no audited cost history must submit required audited fiscal information reflecting the first six months of operation on the forms specified in subsection (c)(2)(A) within 90 days after the later of the end of the sixth month of operation or the certified date of receipt of the forms. The rate calculated from these costs will be in effect for dental services rendered and after the first day of the month following the month of receipt of the required fiscal information by the Department.

## 3) Rate Appeals Process

- A) All appeals of audit adjustments or rate determinations must be submitted in writing to the Department. Appeals submitted within 30 calendar days of the rate notification, if upheld, will be made effective as of the beginning of the rate year. The effective date of all other upheld appeals shall be the first day of the month following the date the completed appeal was submitted. Appeals for any rate year must be filed before the close of the rate year.
- B) To be accepted for review, the written appeal shall include:
  - i) The current approved reimbursement rate, allowable costs, and the additional reimbursable costs sought through the appeal;
  - ii) A clear, concise statement of the basis for the appeal;
  - iii) A detailed statement of financial, statistical, and related information in support of the appeal, indicating the relationship between the additional reimbursable costs as submitted and the circumstances

## NOTICE OF PROPOSED AMENDMENTS

- creating the need for increased reimbursement;
- iv) A citation to any mandatory or contractual requirement pertinent to the appeal; and
  - v) A statement by the provider's chief executive officer or financial officer that the application of the rate appeal and information contained in the vendor's reports, schedules, budgets, books, and records submitted are true and accurate.
- C) Rate appeals may be considered for the following reasons:
- i) Rate appeals may be committed by the provider in calculating historical expenses used in the calculation of allowable costs.
  - ii) Mechanical or clerical errors committed by the Department in auditing historical expenses as reported and/or in calculating reimbursement rates.
  - iii) The Department and the provider have entered into a written agreement to amend, alter, or modify substantive programmatic or management procedures attendant to the delivery of services, which have a substantial impact upon the costs of service delivery.
  - iv) Substantial treatment service charges are required as a result of mandated regulatory charges.
  - v) Substantial changes in the physical plant are required as a result of mandated licensure requirements. In such instances, the provider must submit a plan of corrections for capital improvements approved by the licensing authority, along with the required cost information.
- D) State and/or Federal regulatory requirements have generated a substantial increase in allowable costs.
- E) The Department shall rule on all appeals within 120 calendar days of receipt of the appeal except that, if additional information is required from the facility, the period shall be extended until such time as the information is provided.
- B) Appeals shall be submitted to the Department's Bureau of Comprehensive Health Services, 3rd Floor Bloom Building, 201 South Grand Avenue East, Springfield, Illinois 62763.
  - d) Maternal and Child Health Clinics. Payment shall be made in accordance with Section 140.9(30).
  - e1) Transactional Payments for PFCs and Certain Encounter Rate Clinics
  - e2) Transitional Payments for PFCs and Certain Encounter Rate Clinics
- II) Certain Clinics will be eligible to receive monthly transitional payments for managing the health care needs of certain clients under their care beginning December 1996. Certain Clinics will be eligible to receive transitional payments for the month of December 1996 and monthly thereafter, under the conditions described in this subsection. To receive monthly transitional payments, clinics must:

A) be elible.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- 1) A Federally Qualified Health Center, as defined in Section 40.46(19), or an Encounter Rate Clinic, as defined in Section 40.46(2), that has provided comprehensive health services to Medicaid clients prior to December 1996.
- 2) have signed transitional payment contract with the Department and have a contract with a Health Maintenance Organization (HMO) or Preferred Health Plan (PHP) that has a contract to provide comprehensive health services, or, upon the implementation of Medicaid Plus, have a contract with a Managed Care Entity (MCE).
- 3) transitional payments to a clinic will consist of a per member per month payment for any Illinois Medicaid client enrolled with a BRO or PHP, or, upon the implementation of Medicaid Plus, a MCE, for whom the clinic was their assigned care provider on the last day of the month.
- 4) For the first six months covered under a transitional payment contract, the Department will make transitional payments for any number of Medicaid clients enrolled with a BRO, PHP or MCE and assigned to the qualifying clinics' primary care site. Thereafter, qualified clinics will receive transitional payments for a given month only if the total number of Medicaid clients enrolled with a BRO, PHP or MCE and assigned to the qualifying clinic, meets or exceeds the following threshold levels established in the qualifying clinics' transitional payment contract for that month:

A) For the seventh through twelfth month, such threshold shall equal 20 percent of the qualifying clinic's Medicaid patient base.  
 B) For the thirteenth through eighteenth month, such threshold shall equal 30 percent of the qualifying clinic's Medicaid patient base.  
 C) For the nineteenth through twenty-fourth month, such threshold shall equal 40 percent of the qualifying clinic's Medicaid patient base.  
 D) For the twenty-fifth month through the term of the contract, such threshold shall equal 50 percent of the qualifying clinic's Medicaid patient base.

- 5) The Medicaid patient base shall be a number mutually agreed to by the Department and the qualifying clinic and established in the transitional payment contract that equals the number of Medicaid clients registered as patients of the qualifying clinic as of November 1996.
- 6) Transitional payments shall equal:
  - 1) eight dollars per member per month for the first 12-month period of the clinic's effective date of a contract with the Department.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- 1) six dollars per member per month for the second 12-month period of the clinic's effective date of a contract with the Department.
- 2) two dollars per member per month for the third 12-month period of the clinic's effective date of a contract with the Department.
- 3) Total transitional payments under subsection (e) shall not exceed:
  - 1) \$2,625,000 through June 30, 1997.
  - 2) \$4,500,000 for each 12-month period thereafter that begins on July 1 and ends on June 30 of the following year.
- 4) In the event that payments exceed the limits described in subsection (e)(6) above, the Department will adjust future payments to clinic to recover any excess payment.
- 5) No clinic qualifying under subsection (e) shall receive transitional payments beyond the earlier of:
  - 1) three years from the effective date of a clinic's signed contract; or
  - 2) June 30, 2000.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Animal Diagnostic Laboratory Act

2) Code Citation: 8 Ill. Adm. Code 110

3) Section Numbers:

Adopted Action:

Amendment

Amendment

4) Statutory Authority: Animal Disease Laboratory Act [510 ILCS 10]

5) Effective Date of amendments: January 1, 1997

6) Does this rulemaking contain an automatic repeal date? No

7) Does this proposed amendment contain incorporates by reference? No

8) Date Filed in Agency's Principal Office: December 17, 1996

9) Notices of Proposed Published in Illinois Register: July 12, 1996, 20 Ill. Reg. 8146

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the statement letter issued by JCAR? N/A

13) Will this amendment replace an emergency amendment in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and purpose of amendments: The fees for toxoplasmosis and vesicular stomatitis in Section 110.90 have lower fees added for multiple samples. The fee for reporting results by facsimile in Section 110.120 are eliminated.

16) Information and questions regarding this adopted amendment shall be directed to:

Dibble Wakefield

Illinois Department of Agriculture

State Fairgrounds

Springfield, IL 62794-9281

217/785-5713

Facsimile: 217/785-4505

The full text of Adopted Amendments begins on the next page:

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 8: AGRICULTURE AND ANIMALS

## CHAPTER 1: DEPARTMENT OF AGRICULTURE

## SUBCHAPTER B: ANIMALS AND ANIMAL PRODUCTS

## (EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

PART 110 ANIMAL DIAGNOSTIC LABORATORY ACT<sup>16</sup>PART 110 ANIMAL DIAGNOSTIC LABORATORY ACT<sup>16</sup>

Section	Definitions
110.10	Submitting Specimens
110.20	Payment For Laboratory Services
110.40	Tests Not Covered By Fee Schedule
110.50	Minimum Fees
110.60	Euthanasia Fees
110.70	Clinical Pathology Fees
110.80	Histopathology Fees
110.90	Microbiology Fees
110.100	Parasitology Fees
110.110	Toxicology Fees
110.120	Miscellaneous Fees
110.130	Meats Chemistry Fees
110.140	Lique Control Commission Fees

AUTHORITY: Implementing and authorized by the Animal Disease Laboratory Act [510 ILCS 10].

SOURCE: Adopted and codified at 8 Ill. Reg. 9047, effective July 1, 1984; amended at 9 Ill. Reg. 4471, effective March 22, 1985; amended at 9 Ill. Reg. 1638, effective January 1, 1986; amended at 10 Ill. Reg. 9733, effective May 21, 1986; amended at 11 Ill. Reg. 10161, effective May 15, 1987; amended at 12 Ill. Reg. 3379, effective January 15, 1988; amended at 13 Ill. Reg. 3617, effective April 15, 1989; amended at 14 Ill. Reg. 1507, effective January 19, 1990; amended at 14 Ill. Reg. 3416, effective March 1, 1990; amended at 14 Ill. Reg. 15201, effective September 11, 1990; amended at 16 Ill. Reg. 1116, effective July 1, 1992; amended at 18 Ill. Reg. 1625, effective February 1, 1993; amended at 18 Ill. Reg. 17433, effective December 1, 1994; amended at 20 Ill. Reg. 255, effective January 1, 1996; amended at 20 Ill. Reg. 16176, effective JAN 04 1996.

## Section 110.90 Microbiology Fees

The following are the fees for microbiology:

- a) Bacteriology, Mycoplasma and Fungi
  - 1) Aerobic or anaerobic culture without sensitivity testing.....10.00 C, G
  - 2) Aerobic culture with sensitivity testing.....15.00 C, G
  - 3) Clostridium perfringens serotyping.....5.00 G

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

4)	Milk samples for mastitis evaluation 1-4 specimens.....	15.00 C, G	9)	Canine parvo-virus (CPV-2a) fecal.....	5.00 C, G
	(additional specimens, each at).....	2.00 C, G	10)	Canine parvo-virus serum.....	5.00 C
	Wisconsin mastitis test		11)	Canine distemper on serum.....	10.00 C
	1-10 specimens, each.....		12)	Rota-virus on fecal.....	10.00 C
	(additional specimens, each at).....	2.00 C	13)	Swine testing (report).....	10.00 C
5)	Leprosisosis—6 serotypes	1.00 C	14)	Swine enterovirus (8 serotypes).....	1.00 C
	Microtiter test—per specimen	2.00 C, G	15)	Pet-FeLV (serology).....	15.00 C
	Canine brucellosis—per specimen	5.00 C, G, S	16)	Porcine fetal fluid IgG.....	3.00 C
	Fluorescent Antibody Test (FAT)	10.00 C, G	17)	Feline lentivirus (FeLV).....	10.00 C
6)	Escherichia coli serotyping	3.00 C	18)	Encephalomyocarditis	
7)	Campylobacter (culture).....	4.00 C, G		(1-5 specimens, each).....	3.00 C, G
8)	Salmonella isolation using enrichment media.....	6.00 C, G		(Batch, additional specimen).....	2.00 C, G
9)	Neophilus (culture).....	3.00 C, G	19)	PRRS (screening 1:20).....	2.00 G
10)	Nasal Seabs—Bordetella	3.00 C, G	c)	Chlamydia Isolation in Cell Culture.....	4.00 C, G
11)	Listeria (culture).....	4.00 C, G	d)	Miscellaneous serology	15.00 C, G
12)	Hemophilus equigenitalis (CEM)	4.00 C, G	1)	Toxoplasmosis (First sample).....	5.00 C
13)	Spirochetes (swine dysentery—"Treponema sp.").....	3.00 C, G		(Each additional sample).....	2.50 C
14)	John's Bacillus (first specimen).....	7.00 C, G	2)	ELISA-GCID	2.50 S
15)	(each additional specimen).....	4.00 C, G	3)	Male Immunological pregnancy test (35-60 days post-service).....	15.00 C
16)	Prepare and Supply Transport Media (per tube).....	1.00 C, G	4)	African Swine Fever Virus (Immunofluorescence).....	2.00 C, G
17)	Return culture for bacteria in production per organism.....	2.00 C, G	5)	Out-of-State brucellosis serology.....	1.50 C, G, S
18)	Microscopy examination	6.00 C, G	6)	Brucellosis test other than bovine, porcine and canine.....	5.00 C, G, S
19)	Mycoplasma testing	3.00 C	7)	Bluetongue (1-5 specimens, each).....	3.00 C
20)	E. Coli or Merits (1-4 specimens).....	6.00 C, G		(Batch additional specimen).....	2.00 C
21)	(each additional specimen).....	15.00 C, G	8)	Bovine leukosis (BLV—AGID) (1-5 specimens, each).....	3.00 C, S
22)	Trichomonas transport media	4.00 C, G	9)	(Batch additional specimen).....	1.00 C, S
23)	Virology	15.00 G		(Batch additional sample).....	3.00 C
1)	Electron Microscopy—fecal.	3.00 C, G	10)	Complement Fixation Serology (1-5 specimens, each).....	3.00 C
2)	Pseudorabies Serology (positive or negative).....	no charge C, G		Note: The Complement Fixation Serology tests include testing for anaplasmosis, and chlamydia.	1.00 C
	Pseudorabies Serology Out-of-State.....	3.00 C, G			
	Pseudorabies Serology (positive or negative) and end titer.....	3.00 C, G			
	Pseudorabies Serology (request for screen at dilution of 1:12).....	3.00 C, G			
	Fluorescent Antibody Test (each disease).....	10.00 C, G			
	Rabies.....	5.00 C, G			
3)	Virus Isolation in Cell Culture	15.00 C, G			
	(1 specimen).....	10.00 C, G			
	Each additional specimen).....	10.00 C, G			
	Viral Serology (each disease)				
	(1-5 specimens, each).....	3.00 C, G	a)	Swine health checks at slaughter facilities:	
	(Each additional specimen).....	1.00 C, G		Market swine health check per head with a minimum of 10 head .....	5.00
4)	Feline Leukemia Virus	10.00 C		(Contact the Galeburg laboratory for information)	
5)	Feline Infectious Peritonitis (F.I.P.).....	5.00 C	b)	Water potability test (Coliform and Enterococcus—	

(Source: Amended at 20 Ill. Reg. 16176, effective Jan. 1, 1981)

## Section 110-120 Miscellaneous Fees

- a) Swine health checks at slaughter facilities:

- Market swine health check per head with a minimum  
of 10 head .....
- (Contact the Galeburg laboratory for information)
- b) Water potability test (Coliform and Enterococcus—

## DEPARTMENT OF AGRICULTURE

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

Millipore Method and Nitrates)..... 8.00 C  
 c) Return of shipping container..... current postal rate C, G, S  
 d) Field trip by department laboratory personnel to take specimens..... 50.00 C, G  
 e) Cremation (Under 50 pounds)..... 50.00 additional pound..... 1.00 G  
 f) Report-of-resists-by fees-inclusive--~~for each additional pound~~..... ~~-\$7.00~~ ~~-\$7.00~~  
 f-1 Handling fee for sending specimens to out-of-state laboratories..... 5.00 C, G, S  
 g-1b Lysine..... 40.00 C  
 h-1b Amino acids..... 100.00 C  
 i-1b Trichloromethanes (TBH si)..... 75.00 C  
 j-1b Volatile Organic Compounds..... 300.00 C  
 k-1b Disposal Fee: (When lab tests have not been conducted, a disposal fee will be charged in addition to any cremation costs)  
 Under 50 pounds..... 5.00 C, G, S  
 50 pounds to 100 pounds..... 10.00 C, G, S  
 Over 100 pounds..... 15.00 C, G, S  
 l-1b Overnight shipping..... current postal rate C, G, S  
 m-1b Shipping containers..... current market price C, G, S

(Source: Amended at 20 Ill. Reg. 16176, effective JAN 1, 1996)

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of Part: Bovine Brucellosis  
 2) Code Citation: 8 Ill. Adm. Code 75  
 3) Section Numbers: Adopted Action:  
 75.5 Amendment  
 75.10 Amendment  
 75.60 Amendment  
 75.70 Amendment  
 75.80 Amendment  
 75.110 Amendment  
 75.180 Amendment  
 4) Statutory Authority: Illinois Bovine Brucellosis Eradication Act [510 ILCS 30] 5) Effective Date of amendments: January 1, 1997  
 6) Does this rulemaking contain an automatic repeal date? No  
 7) Does this proposed amendment contain incorporations by reference? Yes  
 8) Date Filed in Agency's Principal Office: December 17, 1996  
 9) Notices of Proposed Published in Illinois Register:  
 July 12, 1996; 20 Ill. Reg. 8752

- 10) Has JCAR issued a statement of objections to these rules? No
  - 11) Differences between proposal and final version: None
  - 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No
  - 13) Will this amendment replace an emergency amendment in effect? No
  - 14) Are there any amendments pending on this Part? No
  - 15) Summary and Purpose of amendments: In Sections 75.5, 75.10, 75.60, and 75.120, the current edition of the Code of Federal Regulations is adopted. Sections 75.70 and 75.80 is amended to prohibit the diversion of slaughter animals en route to the slaughter facility and to ensure that all proper forms accompany the animals.
- A new vaccine for bovine brucellosis was approved by the U.S. Department of Agriculture in the spring of 1996. The USDA is requiring a special vaccination tag for animals vaccinated with the RB-51 Vaccine. This tag

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

requirement is added to Section 75.60.

Wisconsin is allowing cattle to leave their auction markets without a negative test for brucellosis. Since there is a chance that animals from other than a Class Free State may be consigned to a Wisconsin market, Illinois is clarifying in Section 75.180 that it will not accept animals from out-of-state markets unless the animal has had a negative test within the past thirty days.

Information and questions regarding this adopted amendment shall be directed to:

Debbie Kaeifeld

Illinois Department of Agriculture

State Fairgrounds

Springfield, Illinois 62794-9281

Telephone: 217/785-5713

Facsimile: 217/785-4503

The full text of Adopted Amendments begins on the next page:

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 8: AGRICULTURE AND ANIMALS

CHAPTER 1: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER B: ANIMALS AND ANIMAL PRODUCTS  
(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

## PART 75

## BOVINE BRUCELLOSIS

## Section

Definitions	75.5	Incorporation by Reference
	75.7	Official Classification of the Results of the Brucellosis Blood Test
Permits to Conduct Official Brucellosis Tests	75.10	
Reports Required	75.15	
Tests Conducted at State Expense or for Interstate or Export Shipment	75.20	
Tests Conducted at Owner's Expense for Interstate Movement (Repealed)	75.30	
Identification	75.40	
Identification of Cattle	75.50	
Hards Revealing Reactors	75.60	
Sale of Suspects and Negative Animals From Quarantined Herds	75.80	
Release of Herds or Cattle Under Quarantine	75.90	
Hards Revealing Suspects Only	75.100	
Identification Tags	75.110	
Requirements for Establishing and Maintaining	75.120	
Brucellosis-Free Herds of Cattle	75.130	
Feeding or Grazing Cattle	75.140	
Safe of Quarantined Feeding or Grazing Cattle	75.150	
Cattle for Immediate Slaughter	75.160	
Female Cattle—Beef Breeds—18 Months and Over	75.170	
Release of Feeding or Grazing Cattle from Quarantine	75.180	
Dairy or Breeding Cattle	75.190	
Additional Requirements on Cattle from States Designated as Class B and Class C States	75.200	
Slaughter Cattle from Class B or Class C States	75.210	
Official Calfhood Vaccination	75.220	
Recognition of Brucellosis State Status	75.230	
Brucellosis Standard Plate Test of Officially Vaccinated Cattle and Bison (Repealed)	TABLE A	Brucellosis Standard Plate Test of Officially Vaccinated Cattle and Bison
Brucellosis Standard plate Test of Non-Vaccinated Cattle and Bison (Repealed)	TABLE B	

AUTHORITY: Implementing and authorized by the Illinois Bovine Brucellosis Eradication Act (510 ILCS 30).

SOURCE: Regulations Relating to Bovine Brucellosis, filed January 17, 1972, effective January 27, 1972; filed May 3, 1972, effective May 13, 1972; filed December 6, 1972, effective December 16, 1972; filed June 20, 1973, effective June 20, 1973; filed December 14, 1973, effective December 24, 1973; filed

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

August 19, 1975; effective August 29, 1975; filed March 12, 1976, effective March 20, 1976; filed June 21, 1976, effective July 1, 1976; filed December 29, 1976, effective January 8, 1977; amended at 2 Ill. Reg. 24, P. 55, effective June 15, 1978; amended at 3 Ill. Reg. 34, P. 96, effective August 24, 1979; amended at 5 Ill. Reg. 720, effective January 28, 1983; amended at 7 Ill. Reg. 10453; amended at 7 Ill. Reg. 1377, effective January 28, 1983; amended at 10 Ill. Reg. 1733, effective February 2, 1983; amended at 8 Ill. Reg. 5891, effective April 23, 1984; amended at 9 Ill. Reg. 4483, effective March 22, 1985; amended at 9 Ill. Reg. 19647, effective January 1, 1986; amended at 10 Ill. Reg. 9701, effective May 21, 1986; amended at 12 Ill. Reg. 3186, effective January 22, 1987; amended at 13 Ill. Reg. 3636, effective March 13, 1987; amended at 14 Ill. Reg. 1911, effective January 19, 1989; amended at 18 Ill. Reg. 1833, 19 Ill. Reg. 1911, effective January 24, 1994; amended at 20 Ill. Reg. 1509, effective January 12, 1996; amended at 20 Ill. Reg. 16181, effective JAN 01 1997.

## Section 75.5 Definitions

The definitions for the rules of this Part shall be as stated in § 111. Admin. Code 20.1. The following definition shall also apply:

"Act" means the Illinois Bovine Brucellosis Eradication Act [510 ILCS 30].

"Registered animal" means an animal for which individual records of ancestry are recorded and maintained by a breed association whose purpose is the improvement of the bovine species, and for which individual registration certificates are issued and recorded by such breed association. The breed associations recognized by the Department are those recognized by the United States Department of Agriculture [9 CFR 51.1, 1996-1995].

(Source: Amended at 20 Ill. Reg. 16181, effective JAN 01 1997)

## Section 75.10 Official Classification of the Results of the Brucellosis Blood Test

- The official tests and classification of results for the brucellosis blood and milk tests shall be as prescribed in the Brucellosis Eradication Uniform Methods and Rules as approved by the United States Animal Health Association (P.O. Box K227, Suite 111, 1610 Forest Avenue, Richmond, Virginia 23228, May 6, 1992 as amended February 2, 1993 and June 16, 1994) and the United States Department of Agriculture and/or 9 CFR 78.1 (1996-1999).
  - The card (Buffered Brucella Antigen) test or Buffered Agidized Plate Antigen (BAPA) test shall be the official tests used at licensed Livestock auction markets in the State. The CIR (registered) test

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

August 19, 1975; effective August 29, 1976, as a supplemental test whenever the card test is used, filed June 21, 1976, effective July 1, 1976; filed December 29, 1976, effective January 8, 1977; amended at 2 Ill. Reg. 24, P. 55, effective June 15, 1978; amended at 3 Ill. Reg. 34, P. 96, effective August 24, 1979; amended at 5 Ill. Reg. 720, effective January 28, 1983; amended at 7 Ill. Reg. 10453; amended at 7 Ill. Reg. 1377, effective January 28, 1983; amended at 10 Ill. Reg. 1733, effective February 2, 1983; amended at 8 Ill. Reg. 5891, effective April 23, 1984; amended at 9 Ill. Reg. 4483, effective March 22, 1985; amended at 9 Ill. Reg. 19647, effective January 1, 1986; amended at 10 Ill. Reg. 9701, effective May 21, 1986; amended at 12 Ill. Reg. 3186, effective January 22, 1987; amended at 13 Ill. Reg. 3636, effective March 13, 1987; amended at 14 Ill. Reg. 1911, effective January 19, 1989; amended at 18 Ill. Reg. 1833, 19 Ill. Reg. 1911, effective January 24, 1994; amended at 20 Ill. Reg. 1509, effective January 12, 1996; amended at 20 Ill. Reg. 16181, effective JAN 01 1997.

## Section 75.60 Identification of Cattle

- All purebred or crossbred cattle subject to registration vaccinated with brucella abortus vaccine shall be identified on the report of vaccination by their registration number, or dan's registration number, or record association approved individual tattoo or microchip. All grade or not permanently identified cattle so vaccinated shall be ear tagged in the right ear with an identification tag. In addition to the above identification, all animals shall be identified at the time of vaccination by a tattoo in the right ear. When using a Strain 19 vaccine, the tattoo shall show the quarter and year of vaccination and the letter "y" in the federal shield. The number of the quarter shall precede the letter "y" in the shield and the last figure of the year shall follow the letter "y" in the shield, as for example, 4V7-4" means the last quarter (Oct., Nov., Dec.) of the year "y" means vaccinated, and "y" means the year (example 1987). When using a BB-5 vaccine, the tattoo shall show the letter "n", then the federal shield followed by the last number of the year the animal was vaccinated. Example, RY6 would be an animal vaccinated with the BB-5 vaccine in 1986.
- All cattle, except permanently identified purebred or crossbred animals, tested for brucellosis in the State of the Illinois shall be identified by an ear tag placed in the right ear, which tag shall bear a prefix number or letter followed by the number on the face of the tag, and on the reverse side shall bear the word "Illinois."
- Purebred or crossbred registered cattle may be identified for test or vaccination by the purebred or crossbred registration number or individual registration breed tattoo or microchip.

(Source: Amended at 20 Ill. Reg. 16181, effective JAN 01 1997)

## Section 75.70 Herds Revealing Reactors

- The entire herd shall be placed under quarantine and the reactor animals shall be immediately isolated from the remainder of the herd. Reactors shall be shipped for slaughter to a public stockyards, a licensed livestock auction market, or directly to a recognized slaughtering establishment accompanied by United States Department of Agriculture VS 1-27 Permit for Movement of Animals and shipment reported to the Department. Reactors shall not be diverted from the

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

## NOTICE OF ADOPTED AMENDMENTS

## NOTICE OF ADOPTED AMENDMENTS

destination listed on the VS Form L-27, and any other shilohin forms must accompany the cattle or bison to their destination. The buyer of such animals must also ensure that the VS Form L-27 and any other shilohin forms are given to the driver transporting the animals to their destination.

- b) All reactors shall be reactor tagged and branded by an accredited veterinarian or a veterinarian in the employ of the Department or the Animal and Plant Health Inspection Service within 10 days of report by the laboratory. ADE Form 1-23 (Indemnity Claim for Cattle Slaughtered) shall be submitted in duplicate. Such reactor animals shall be shipped within 15 days after tagging and banding.

(Source: JAN 6 1995 At 20 Ill. Reg. 16181, effective 16181,  
Reg. 20 Ill.)

## Section 75.80 Sale of Suspects and Negative Animals From Quarantined Herds

Suspects or negative exposed animals from herds under quarantine may be shipped by the owner direct to a recognized slaughtering establishment, a public stockyards or to a licensed livestock auction market, accompanied by Federal Form VS L-27 to be sold for slaughter only and shipment reported to the Department. Suspects shall not be diverted from the destination listed on the VS Form L-27 and any other shilohin forms must accompany the cattle or bison to their destination. The buyer of such animals must also ensure that the VS Form L-27 and any other shilohin forms are given to the driver transporting the animals to their destination. Such cattle are to be identified by an ear tag supplied by the Department and by branding with a hot iron the letter "S" on the left jaw in letters not less than 2 nor more than 3 inches in height before the animals leave the premises where they are quarantined except that cattle for slaughter shall be exempt from the "S" branding requirements of this regulation when moved direct from a feedlot on the quarantined premises to a recognized slaughtering establishment in a vehicle which has been sealed by a Department employee, or a person designated by the Department.

(Source: Amended JAN 6 1995 At 20 Ill. Reg. 16181, effective 16181,  
Reg. 20 Ill.)

## Section 75.110 Requirements for Establishing and Maintaining Certified Brucellosis-Free Herds of Cattle

Certified brucellosis-free herds shall be established and maintained in accordance with the Brucellosis Eradication Uniform Methods and Rules as approved by the United States Animal Health Association (P.O. Box #277, Suite 114, 1610 Forest Avenue, Richmond, Virginia 23220; May 6, 1992 as amended February 2, 1993 and June 16, 1993) and the United States Department of Agriculture and/or 9 CFR 78.1 (1996 §999).

(Source: Amended at 20 Ill. Reg. 16181, effective 16181,  
Reg. 20 Ill.)

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

JAN 6 1995

## Section 75.180 Dairy or Breeding Cattle

All dairy or breeding cattle transported or moved into the State of Illinois, unless said cattle are consigned direct to and delivered by the transportation company within the confines of a public stockyards or marketing center, shall be accompanied by an official certificate of health showing:

- a) All such cattle over 6 months of age are negative to brucellosis blood test within 30 days prior to shipment;
- b) All cattle originated from certified brucellosis-free herd, Class Free State or county, certified herd numbers shall be given and the cattle shall be identified by ear tag number, registration name and number, dam registration number, or record association approved individual tattoo, OR

c) Cattle are officially brucellosis calvehood vaccinated under 24 months of age for beef breeds and 20 months of age for dairy breeds.

All unvaccinated dairy or breeding heifers or bison over 6 months of age for beef breeds and 20 months of age for dairy breeds, through an out-of-state auction market or marketing center, must be accompanied by an official health certificate showing a negative test for brucellosis within 30 days prior to entry, regardless of state or herd status. Official brucellosis calvehood vaccinations do not need to be tested until they are 24 months of age for beef breeds and 20 months of age for dairy breeds.

(Source: Amended at 20 Ill. Reg. 16181, effective 16181,  
Reg. 20 Ill.)

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

- 1)
- Heading of the Part:
- Equine Infectious Anemia Control

Code Citation: 8 Ill. Adm. Code 116

3) Section Number: Adopted Action:  
116.40  
Amendment  
Repealed

4) Statutory Authority: Illinois Equine Infectious Anemia Control Act [510 ILCS 65]

- 5) Effective Date of amendments: January 1, 1997

- 6) Does this rulemaking contain an automatic renewal date? No

- 7) Does this proposed amendment contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: December 17, 1996

9) Notices of Proposal Published in Illinois Register: July 12, 1996, 20  
Ill. Reg. 8773

- 10) Has JCAR issued a Statement of Objections to these rules? No

- 11) Differences between proposal and final version: None

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this amendment replace an emergency amendment in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Amendments: Amendments to Section 116.30 include:

A time limit of ten days is established for euthanizing or shipping equine infectious anemia reactors following the confirmatory test. Diverting reactors en route to slaughter is prohibited. If the reactor is going to be quarantined, a fifteen day time limit for having quarantine facilities in place is established.

A provision in P.A. 89-463 effective 1/1/97 requires all members of the equine family being sold, leased, traded or loaned within the state to have a negative test for equine infectious anemia prior to sale. Section 116.40 is repealed as this statutory amendment negates the testing of slaughter horses at market.

- 16) Information and questions regarding this adopted amendment shall be directed to:

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

Debbie Wakefield

Illinois Department of Agriculture  
State Fairgrounds  
Springfield, Illinois 62794-3281  
217/785-5713  
Facsimile: 217/785-4505

The full text of Adopted Amendments begins on the next page.

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 8: AGRICULTURE AND ANIMALS

## CHAPTER 1: DEPARTMENT OF AGRICULTURE

SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS  
(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)PART 116  
BOVINE INFECTIOUS ANEMIA CONTROL

Section 116.10 Testing of Illinois Equidae  
 116.20 Retesting of Reactors  
 116.30 Quarantining of Reactors  
 116.40 Movement of Equidae Through Livestock Sales and Livestock Auction Markets (Repealed).  
 116.50 Classification of Records

AUTHORITY: Implementing and authorized by the Illinois Equine Infectious Anemia Control Act [510 ILCS 65].

SOURCE: Adopted at 18 Ill. Reg. 1861, effective January 24, 1994; amended at 20 Ill. Reg. 290, effective January 1, 1996; amended at 20 Ill. Reg. 1618, effective JANUARY 1, 1996.

## Section 116.30 Quarantining of Reactors

If the owner of a known reactor does not wish to have the reactor euthanized or shipped to slaughter, the animal must be quarantined for life. The reactor must be kept at all times in an insect proof stall and cannot be removed from this enclosure, except to be euthanized or shipped to slaughter. All quarantine facilities must be in place within 15 days after the confirmatory test and be approved by the Department and will be inspected on a regular basis to make sure that the reactor is maintained under quarantine. If the reactor is euthanized or shipped, it must be done within 10 days after the confirmatory test, and reactors shipped to slaughter cannot be diverted en route.

(Source: Amended at 20 Ill. Reg. 1618, effective JANUARY 1, 1996)

Section 116.40 Movement of Equidae Through Livestock Sales and Livestock Auction Markets (Repealed)

All equidae moving through sales or livestock auction markets or being handled to sales or livestock auction markets must be accompanied by a negative test for equine infections anemia within the past twelve months if over twelve months of age unless the animal is consigned for immediate slaughter. Equidae consigned for immediate slaughter are not required to have a negative test for equine infections anemia before arrival at the sale or auction but will be

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

required to be sold with a mane tag indicating that the animal is for slaughter only will have blood drawn for an equine infections anemia test before leaving the sale or auction and will be allowed to leave the premises on an Brute-Slaughter Certification (BSC) form which must accompany the animal to slaughter. Immediate slaughter means the animal must be delivered to a slaughtering facility within ten days after purchase or possession. All equidae consigned for slaughter only must be kept separate and apart from all other tested equidae.

(Source: Repealed at 20 Ill. Reg. JANUARY 1, 1996)

16188, effective 16188.

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Livestock Auction Markets

2) Code Citation: 8 Ill. Adm. Code 40

3) Section Numbers: Adopted Action:

40.50 Amendment:

40.60 Amendment:

40.180 Amendment:

4) Statutory Authority: Livestock Auction Market Law [225 ILCS 6/40] and Section 40-23 of the Civil Administrative Code of Illinois [20 ILCS 205/40-23]

5) Effective Date of amendments: January 1, 1997

6) Does this rulemaking contain an automatic repeal date? No

7) Does this proposed amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: December 17, 1996

9) Notices of Proposed Published in Illinois Register: July 12, 1996, 20 Ill. Reg. 8790

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version: Nonsubstantive editorial corrections were made.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? N/A

13) Will this amendment replace an emergency amendment in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of amendments: In Sections 40-50, 40-60 and 40-180, language is added to prohibit the diversion of slaughter animals en route to the slaughter facility. Language is also added in Section 40-60(c) to prohibit the sale of any reactor or suspect animal after the animal has been bought, without the approval of the Department.

16) Information and questions regarding this adopted amendment shall be directed to:

Debbie Wakefield  
Illinois Department of Agriculture

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

**TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER I: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS  
(EXCEPT BEAR AND POULTRY INSPECTION ACT REGULATIONS)**

## PART 40

## LIVESTOCK AUCTION MARKETS

## Section

## Definitions

## 40.5 Definitions

## 40.10 Fee to Accompany Application Not To Be Refunded

## 40.20 Release of Livestock for Interstate Shipment

## 40.30 Veterinary Inspection

## 40.40 Veterinary Office

## 40.50 Detection of Diseased Animals

## 40.60 Bovine Brucellosis

## 40.70 Quarantine Pen

## 40.80 The Sale of Livestock for Immediate Slaughter

## 40.90 Test Clue

## 40.100 Brucellosis Test

## 40.110 Sale of Official Brucellosis Calfhood Vaccinates

## 40.120 Feeder Cattle Subject to Quarantine

## 40.130 Backgating

## 40.140 Yarding and Housing

## 40.150 Display License (Repealed)

## 40.160 Sale Day

## 40.170 Swine Which React to Test for Brucellosis

## 40.180 Sheep

## 40.190 Surety Bonds and Other Pledged Security

## 40.200 Cancellation of Escrow Agreements (Personal Bonds) (Repealed)

## 40.210 Swine Movement Dispositions (Repealed)

## 40.220 Disposition of Rejected Feeding or Breeding Swine

## 40.240 Director To Be Named Trustee (Repealed)

AUTHORITY: Implementing and authorized by the Livestock Auction Market Law (225 ILCS 640/1 and Section 40.23 of the Civil Administrative Code of Illinois (220 ILCS 205/40[23]).

SOURCE: Regulations Relating to Livestock Auction Markets, filed January 17, 1972, effective January 27, 1972; filed May 3, 1972, effective May 13, 1972; filed December 14, 1973, effective December 24, 1973; filed March 2, 1976, effective March 12, 1976; amended at 2 illi Reg 24 P-73, effective June 15, 1978; coordinated at 5 illi Reg 10442, amended at 9 illi Reg. 5956, effective April 12, 1984; amended at 10 illi Reg. 9156, effective May 21, 1986; amended at 12 illi Reg. 3411, effective January 22, 1988; amended at 14 illi Reg. 1943, effective July 19, 1989; amended at 16 illi Reg. 11793, effective July 24, 1994; amended at 20 1992; amended at 18 illi Reg. 1869, effective January 24, 1994; amended at 20

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

111. Reg. 1546, effective January 12, 1996; amended at 20 illi. Reg. 16192, effective January 12, 1997.

## Section 40.50 Detection of Diseased Animals

Diseased livestock, not detected prior to unloading, shall be placed in the quarantine pen. Such livestock may be sold through the auction ring at the completion of the regular sale for slaughter only. Each animal shall be identified with an Illinois slaughter tag, and the information recorded on Form C-2a, revised, which shall accompany each animal to slaughter. All livestock from the quarantine pen shall be delivered to a Federal or State inspected slaughtering establishment or to a public stockyard, and shall not be diverted en route, or to a licensed dead animal disposal unit, or be quarantined back to the original owner, at the option of the owner.

16192, effective January 12, 1997.

16192, effective January 12, 1997.

16192, effective January 12, 1997.

Cattle which, upon being tested for brucellosis at a livestock auction market, are classified as reactors to the official test shall be placed in the quarantine pen and sold for immediate slaughter. The reactors when sold for slaughter shall be delivered to a publicly stockyard or recognized slaughtering establishment and be positively identified and branded as provided by Section 5 of the Illinois Bovine Brucellosis Eradication Act (15 ILCS 30/5). The purchaser of the reactors shall sign a VS Form 1-27 "Permit for Movement of Animals." Illinois brucellosis reactors released from either than a livestock auction market may be consigned to a livestock auction market designated as a marketing center if accompanied by VS Form 1-27, "Permit for Movement of Animals." A new VS Form 1-27 shall be prepared by the livestock auction market veterinarian and shall accompany the reactor to slaughter and shall not be diverted en route and shall do only to the destination listed on the VS Form 1-27. No change of ownership of any reactor or suspect animal after the animal has been bought shall be allowed without the approval of the Department.

c) When one or more brucellosis reactors are disclosed in a group of cattle, the negative cattle which have been in contact with the reactors for more than 24 hours shall be either returned to the farm of origin under quarantine or shipped directly to a recognized slaughtering establishment or a public stockyard, accompanied by VS Form 1-27 to be sold for slaughter only and shall not be diverted en route and shall do only to the destination listed on the VS Form 1-27. No change of ownership of any reactor or suspect animal after the animal has been bought shall be allowed without the approval of the Department. Unless cattle are being returned to the farm of origin,

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

they shall be identified by an ear tag provided by the Department and by branding with a hot iron the letter "S" on the left jaw in letters not less than 2 nor more than 3 inches in height, before the cattle leave the livestock auction market.

(Source: Amended at 20 Ill. Reg. JAN 1 [19]81)

**Section 40.180 Swine Which React to Test for Brucellosis**

Any swine which, upon being tested for brucellosis at a livestock auction market, react to an official brucellosis test shall be placed in the quarantine pen and sold for slaughter only. The reactor shall be identified with a reactor identification tag. The animal, when sold, shall be accompanied by Form H-63 AND shall be delivered to State or Federal inspected slaughter establishment and shall go directly to the destination listed on Form H-63 and is not to be diverted en route. Such swine may not be sold for feeding or breeding purposes.

**16192**, effective JULY 1 [19]92,  
(Source: Amended at 20 Ill. Reg. JAN 1 [19]81)

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENT

Heading of Part: Livestock Dealer Licensing

Code Citation: 68 Ill. Adm. Code 610

Section Numbers: Adopted Action:  
610.60  
Amendment

Statutory Authority: Illinois Livestock Dealer Licensing Act [225 ILCS 645]

Effective Date of amendments: January 1, 1997

- 1) Heading of Part: Livestock Dealer Licensing
- 2) Does this rulemaking contain an automatic repeal date? No
- 3) Does this proposed amendment contain incorporations by reference? No
- 4) Date Filed in Agency's Principal Office: December 17, 1996
- 5) Notices of Proposed Published in Illinois Register: July 12, 1996, 20 Ill. Reg. 8795
- 6) Has JCAR issued a Statement of Objections to these rules? No
- 7) Differences between proposed and final version: Nonsubstantive editorial corrections were made.
- 8) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 9) Will this amendment replace an emergency amendment in effect? No
- 10) Are there any amendments pending on this Part? No
- 11) Summary and purpose of amendments: Language is added to prohibit the diversion en route of diseased slaughter animals and to assure that all required forms accompany the animals.
- 12) Information and questions regarding this adopted amendment shall be directed to:

Debbie Wakefield  
Illinois Department of Agriculture  
State Fairgrounds  
Springfield, Illinois 62794-9281  
Telephone: 217/785-5713  
Facsimile: 217/785-4505

The full text of Adopted Amendments begins on the next page:

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENT

**TITLE 68: PROFESSIONS AND OCCUPATIONS  
CHAPTER II: DEPARTMENT OF AGRICULTURE**

**LIVESTOCK DEALER LICENSING**

Section	Definitions
610.5	Entry Requirements
610.10	Breeding Cattle Health Requirements (Repealed)
610.10	Swine Health Requirements
610.30	Prevention of Spread of Livestock Diseases
610.40	Feeder Cattle
610.50	Slaughter Animals
610.70	Care of Livestock (Repealed)
610.80	Inspection
610.90	Identification Not to be Removed or Altered
610.100	Compliance with Market Cattle Identification Program
610.110	Surety Bonds and Other Pladded Security
610.120	Cancellation of Escrow Agreements (Personal Bonds) (Repealed)
610.130	Director as Trustee on Surety Bonds (Repealed)
610.140	Dealer Agent (Repealed)
610.150	License Application

**AUTHORITY:** Implementing and authorized by the Illinois Livestock Dealer Licensing Act (125 ILCS 645).

**SOURCE:** Rules and Regulations Relating to the Livestock Dealer Licensing Act, filed January 17, 1972; effective January 27, 1972; amended May 3, 1972, effective May 13, 1972; June 20, 1973, effective July 1, 1973; April 5, 1976, effective April 15, 1976; amended at 2 Ill. Reg. 34, P. 166, effective August 24, 1978; codified at 5 Ill. Reg. 1057; amended at 8 Ill. Reg. 5973, effective April 23, 1984; amended at 13 Ill. Reg. 360, effective March 13, 1989; amended at 18 Ill. Reg. 1875, effective January 24, 1994; amended at 21 Ill. Reg. 1522, effective January 12, 1996; amended at 20 Ill. Reg. 18107, effective January 1, 1997.

**Section 610.60 Slaughter Animals**

Livestock dealers purchasing animals for slaughter purposes only (cattle, swine or sheep) shall:

- a) Keep slaughter animals isolated from all breeding and feeder animals.
- b) Be sold within 10 days of purchase direct to a public stockyard or recognized slaughter establishment under State or Federal supervision. Slaughter cattle from farm of origin may be consigned direct to a recognized slaughter establishment, or public stockyard, or licensed livestock auction market under State or Federal supervision (except the type of cattle mentioned in subsection (c) below).

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENT

- c) Maintain records on each head of livestock purchased in accordance with Section 17 of the Illinois Livestock Dealer Licensing Act (125 ILCS 645/17). Livestock purchased at a less than prevailing market price, such as cows with squamous cell carcinoma (cancer eye), crippled animals, and animals whose general physical appearance would indicate they are not healthy or are suffering from malnutrition shall be consigned directly to a recognized slaughtering establishment under State or Federal supervision.
- d) Diseased livestock accompanied by official form(s) shall not be diverted en route. Licensed livestock dealers shall have all official forms accompany the diseased livestock to the destination listed on the forms.

(Source: Amended at 20 Ill. Reg. 16197, effective JAN 1, 1997.)

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Retailers' Occupation Tax
- 2) Code Citation: 86 Ill. Adm. Code 130
- 3) Section Numbers: Adopted Action:  
130.2011 New Section  
130.2012 New Section
- 4) Statutory Authority: 35 ILCS 120
- 5) Effective Date of Amendment(s): December 16, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: December 16, 1996
- 9) Notice of Proposal Published in Illinois Register: July 5, 1996, 20 Ill.  
Reg. 8826
- 10) Has JCAR issued a Statement of Objections to these Amendments? No
- 11) Differences between proposal and final version:
- In Section 130.2011(1), added "sales of" after "1996".
  - In subsection (a), deleted "and equipment used in the diagnosis, analysis, or treatment of hospital patients."
  - In subsection (a)(1), changed the comma after "computers" to "and" and deleted "and other equipment".
  - Added new subsection (b):  
"b) Effective January 1, 1996, sales of equipment, other than that specified in subsection (a), used in the diagnosis, analysis, or treatment of hospital patients that is sold to persons who lease that equipment to exempt hospitals is not subject to Retailers' Occupation Tax providing:
    - the equipment described above must all be purchased for lease to a tax exempt hospital under a lease that has been executed or is in effect at the time of purchase;
    - the lease must be for a period of one year or longer; and
    - the lease must be to a hospital that has an active tax

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

exemption identification number issued by the Department under Section 17 of the Retailers' Occupation Tax Act (see 86 Ill. Adm. Code 130.2007 of this Part)."

5. Changed subsection "(b)" to subsection "c".
6. Changed subsection "(b)(1) and (b)(2)" to subsection "c"(1) and "c"(2).
7. Changed subsection "c," to subsection "d".
- 12) Have all the changes stated upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? Yes

Section Numbers	Proposed Action	IL Register Citation
130.801	Amendment	7/12/96, 20 Ill. Reg. 8961
130.805	Amendment	7/12/96, 20 Ill. Reg. 8961
130.825	Amendment	7/12/96, 20 Ill. Reg. 8961
130.120	Amendment	11/1/96, 20 Ill. Reg. 14161

- 15) Summary and Purpose of Amendment(s): This rulingmaking is in response to Public Act 89-115 which provides that any tangible personal property purchased for lease to a governmental entity under a lease period of at least one year or longer is exempt from Retailers' Occupation Tax. That Public Act also provides a similar exemption for computers and certain types of equipment purchased for lease to an exempt hospital. These proposed rules describe these exemptions and the documentation requirements for claiming the exemptions.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Terry D. Charlton  
Associate Counsel  
Illinois Department of Revenue  
Legal Services Office  
101 West Jefferson  
Springfield, Illinois 62794  
Phone: (217) 782-6596

The full text of the Adopted Amendment begins on the next page:

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 86: REVENUE

## CHAPTER I: DEPARTMENT OF REVENUE

## PART 130 RETAILERS' OCCUPATION TAX

## SUBPART A: NATURE OF TAX

Section 130.101 Character and Rate of Tax  
 130.105 Obligation of Trustees, Receivers, Executors or Administrators  
 130.110 Occasional Sales  
 130.111 Sale of Used Motor Vehicles by Leasing or Rental Business  
 130.115 Habitual Sales  
 130.120 Non taxable Transactions

## SUBPART B: SALE AT RETAIL

Section 130.201 The Test of a Sale at Retail  
 130.205 Sales for Transfer Incident to Service  
 130.210 Sales of "angible Personal Property to Purchasers for Resale  
 130.215 Further Illustrations  
 130.220 Sales to Lessors of Tangible Personal Property

## SUBPART C: CERTAIN STATUTORY EXEMPTIONS

Section 130.305 Farm Machinery and Equipment  
 130.310 Food, Drugs, Medicines and Medical Appliances  
 130.315 Fuel Sold for Use in Vessels on Rivers Bordering Illinois  
 130.320 Gasohol  
 130.321 Fuel Used by Air Common Carriers in International Flights  
 130.325 Graphic Arts Machinery and Equipment Exemption  
 130.330 Manufacturing Machinery and Equipment  
 Pollution Control Facilities  
 130.340 Rolling Stock  
 130.345 Oil Field Exploration, Drilling and Production Equipment  
 Coal Exploration, Mining, Off Highway Bauling, Processing,  
 Maintenance and Reclamation Equipment

## SUBPART D: GROSS RECEIPTS

Section 130.401 Meaning of Gross Receipts  
 130.405 How to Avoid Paying Tax on State or Local Tax Passed on to the  
 Purchaser  
 130.410 Cost of Doing Business Not Deductible

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

Transportation and Delivery Charges  
 Finance or Interest Charges--Penalties--Discounts  
 Traded-In Property  
 Deposit or Prepayment on Purchase Price  
 State and Local Taxes Other than Retailers' Occupation Tax  
 Federal Taxes  
 Installation, Alteration and Special Service Charges  
 Motor Vehicle Leasing and Trade-In Allowances

## SUBPART E: RETURNS

Section  
 Section  
 Section

Monthly Tax Returns--When Due--Contents

Quarterly Tax Returns  
 Returns and Bow to Prepare  
 Annual Tax Returns  
 First Return  
 Final Returns When Business is Discontinued  
 Final Returns When Business is Discontinued  
 Monthly Tax Returns  
 Returns Covering More Than One Location Under Same  
 Registration--Separate Returns for Separately Registered Locations  
 Payment of the Tax, Including Quarter Monthly Payments in Certain  
 Instances  
 Returns on a Transaction Basis  
 Registrants Must File a Return for Every Return Period  
 Filing of Returns for Retailers by Suppliers Under Certain  
 Circumstances

## SUBPART F: INTERSTATE COMMERCE

Section  
 Preliminary Comments  
 Payment of Retailers' Occupation Tax on Motor Fuel  
 Vending Machine Information Returns  
 Verification of Returns

## SUBPART G: CERTIFICATE OF REGISTRATION

Section  
 General Information on Obtaining a Certificate of Registration  
 Procedure in Disputed Cases Involving Financial Responsibility  
 Requirements  
 Sub-Certificates of Registration  
 Separate Registrations for Different Places of Business of Same

Section  
 130.701  
 130.705  
 130.710  
 130.715  
 130.720

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

Taxpayer Under Some Circumstances  
Display  
130.725 Replacement of Certificate  
130.730 Certificate Not Transferable  
130.735 Certificate Required For Mobile Vending Units  
130.740 Revocation of Certificate  
130.745

## SUBPART H: BOOKS AND RECORDS

Section General Requirements  
130.801 When Records Constitute Minimum Requirement  
130.805 Records Required to Support Deductions  
130.810 Preservation and Retention of Records  
130.815 Preservation of Books During Pendency of Assessment Proceedings  
130.820 Department Authorization to Destroy Records Sooner Than Would Otherwise be Permissible  
130.825

## SUBPART I: PENALTIES AND INTEREST

Section Civil Penalties  
130.901 Interest  
130.905 Criminal Penalties  
130.910

## SUBPART J: BINDING OPINIONS

Section When Opinions from the Department are Binding  
130.1001 When Deliveries on Federal Areas Are Taxable  
No Distinction Between Deliveries on Federal Areas and Illinois  
Deliveries Outside Federal Areas

## SUBPART K: SELLERS LOCATED ON, OR SHIPPING TO, FEDERAL AREAS

Section Definition of Federal Area  
130.1101 When Deliveries on Federal Areas Are Taxable  
130.1105 No Distinction Between Deliveries on Federal Areas and Illinois  
Deliveries Outside Federal Areas

## SUBPART L: TIMELY MAILING/TREATMENT AS TIMELY FILING AND PAYING

Section General Information  
130.1201 Due Date that Falls on Saturday, Sunday or a Holiday  
130.1205

## SUBPART M: LEASED PORTIONS OF LESSOR'S BUSINESS SPACE

Section When Lessee of Premises Must File Return for Leased Department  
130.1301 Antiques, Curios, Art Work, Collectors' Coins, Collectors' Postage  
130.1305

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

When Lessor of Premises Should File Return for Leased Department  
Meaning of "Lessor" and "Lessee" in This Regulation

## SUBPART N: SALES FOR RESALE

Section Seller's Responsibility to Determine the Character of the Sale at the Time of the Sale  
Seller's Responsibility to Obtain Certificates of Resale and Requirements for Certificates of Resale (Repeated)  
Requirements for Certificates of Resale (Repeated)  
Seller Number-when Required and How Obtained  
Blanket Certificate of Resale (Repealed)

## SUBPART O: CLAIMS TO RECOVER ERROREDUSLY PAID TAX

Section Claims for Credit-Limitations--Procedure  
Disposition of Credit Memoranda by Holders Thereof  
Refunds  
Interest

Section PROCEDURE TO BE FOLLOWED UPON  
SELLING OUT OR DISCONTINUING BUSINESS

Section When Returns are Required After a Business is Discontinued  
When Returns Are Not Required After Discontinuation of a Business  
Cross Reference to Bulk Sales Regulation

## SUBPART Q: NOTICE OF SALES OF GOODS IN BULK

Section Bulk Sales: Notices of Sales of Business Assets  
Refunds  
Interest

Section When Powers of Attorney May be Given  
Filing of Power of Attorney With Department  
When Returns Are Not Required After Discontinuation of a Business  
Cross Reference to Bulk Sales Regulation

## SUBPART R: POWER OF ATTORNEY

Section Addition Agents to Plating Baths  
Agricultural Producers  
Antiques, Curios, Art Work, Collectors' Coins, Collectors' Postage  
130.1801

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

130.1915	Stampers and Like Articles	130.2075	Sales to Construction Contractors, Real Estate Developers and Speculative Builders
130.1920	Auctioneers and Agents	130.2080	Persons to Governmental Bodies, Foreign Diplomats and Consular Personnel
130.1925	Barbers and Beauty Shop Operators	130.2095	Sales to or by Banks, Savings and Loan Associations and Credit Unions
130.1930	Blacksmiths	130.2090	Sales to Railroad Companies
130.1935	Chiropractors and Chiropractors	130.2095	Sellers of Gasohol, Coal, Coke, Fuel Oil and Other Combustibles
130.1940	Computer Software	130.2100	Sellers of Feeds and Breeding Livestock
130.1945	Construction Contractors and Real Estate Developers	130.2105	Sellers of Newspapers, Magazines, Books, Sheet Music and Photograph Records and Tissue Suppliers
130.1950	Coverage Associations	130.2110	Sellers of Seeds and Fertilizer
130.1955	Dentists	130.2115	Sellers of Machinery, Tools and the Like
130.1960	Enterprise Zones	130.2120	Suppliers of Persons Engaged in Service Occupations and Professions
130.1965	Sales of Building Materials to a High Impact Business	130.2125	Trading Stamps and Discount Coupons
130.1970	Farm Chemicals	130.2130	Undertakers and Funeral Directors
130.1975	Finance Companies and Other Lending Agencies - Installment Contracts	130.2135	Vending Machines
130.1980	- Repossessions	130.2140	Vendors of Curtains, Slip Covers, Floor Covering and Other Similar Items Made to Order
130.1985	Florists and Nurseries	130.2145	Vendors of Meals
130.1990	Hatcheries	130.2150	Vendors of Memorial Stones and Monuments
130.1995	Operators of Games of Chance and Their Suppliers	130.2155	Vendors of Signs
130.2000	Promoters and Opicians	130.2160	Vendors of Steam
130.2005	Promoters	130.2165	Vendors of Tangible Personal Property Employed for Premiums, Advertising Prizes, Etc.
130.2010	Sales by Teacher-Sponsored Student Organizations	130.2170	Veterinarians
130.2015	Exemption Identification Numbers	130.2175	Illustration A: Examples of Tax Exemption Cards
130.2020	Sales by Nonprofit Service Enterprises	130.2180	AUTHORITY: Implementing the Illinois Retailers' Occupation Tax Act [35 ILCS 120] and authorized by Section 3963 of the Civil Administrative Code of Illinois [20 ILCS 2805/3931].
130.2025	Persons Who Rent or Lease the Use of Tangible Personal Property to Others	130.2185	SOURCE: Adopted July 1, 1933; amended at 2 Ill. Reg. 50, p. 71, effective December 10, 1978; amended at 3 Ill. Reg. 12, p. 4, effective March 19, 1979; amended at 3 Ill. Reg. 164, effective June 3, 1979; amended at 3 Ill. Reg. 19, effective June 17, 1979; amended at 3 Ill. Reg. 44, p. 153, effective October 19, 1979; amended at 3 Ill. Reg. 93 and 95, effective March 25, 1979; amended at 3 Ill. Reg. 164, effective June 3, 1979; amended at 3 Ill. Reg. 12, p. 4, effective October 19, 1979; amended at 3 Ill. Reg. 24, p. 520, effective November 1, 1979; amended at 4 Ill. Reg. 46, p. 52, effective January 5, 1980; amended at 5 Ill. Reg. 520, p. 59, effective June 1, 1980; amended at 5 Ill. Reg. 81, effective January 2, 1981; amended at 5 Ill. Reg. 3014, effective March 11, 1981; amended at 5 Ill. Reg. 12782, effective November 2, 1981; amended at 6 Ill. Reg. 2860, effective March 3, 1982; amended at 6 Ill. Reg. 2860, effective May 24, 1982; modified at 6 Ill. Reg. 8229, effective June 1, 1982; modified at 6 Ill. Reg. 15225, effective December 3, 1982; amended at 6 Ill. Reg. 5999, effective June 1, 1983; amended at 6 Ill. Reg. 15225, effective December 3, 1983; amended at 6 Ill. Reg. 7900, effective June 15, 1984; amended at 6 Ill. Reg. 5139, effective April 1, 1984; amended at 8 Ill. Reg. 19165, effective September 26, 1984; amended at 10 Ill. Reg. 197, effective January
130.2030	Sales to Persons Who Lease Tangible Personal Property to Hospitals	130.2190	Governmental Bodis
130.2035	Persons Who Repair or Otherwise Service Tangible Personal Property	130.2195	Persons Who Repair and Surgeons
130.2040	Public Amusement Places	130.2200	Picture-Frameers
130.2045	Registered Pharmacists and Druggists	130.2205	Persons Who Repair or Otherwise Service Tangible Personal Property
130.2050	Retailers of Clothing	130.2210	Physicians and Surgeons
130.2055	Retailers on Premises of the Illinois State Fair, County Fairs, Art Shows, Flea Markets and the Like	130.2215	Public Amusement Places
130.2060	Sales by Governmental Bodies	130.2220	Persons Who Repair or Otherwise Service Tangible Personal Property
130.2065	Sales of Alcoholic Beverages, Motor Fuel and Tobacco Products	130.2225	Physicians and Surgeons
130.2070	Sales of Automobiles for Use in Demonstration	130.2230	Public Amusement Places
130.2075	Sales of Containers, Wrapping and Packing Materials and Related Products	130.2235	Persons Who Repair or Otherwise Service Tangible Personal Property

## NOTICE OF ADOPTED AMENDMENTS

10, 1986; amended at 10 Ill. Reg. 12067, effective July 1, 1986; amended at 10 Ill. Reg. 19538, effective November 5, 1986; amended at 10 Ill. Reg. 19772, effective November 5, 1986; amended at 11 Ill. Reg. 4125, effective March 2, 1987; amended at 11 Ill. Reg. 6252, effective March 20, 1987; amended at 11 Ill. Reg. 18284, effective October 27, 1987; amended at 11 Ill. Reg. 181767, effective October 28, 1987; amended at 11 Ill. Reg. 19138, effective October 29, 1987; amended at 11 Ill. Reg. 19596, effective November 23, 1987; amended at 12 Ill. Reg. 91652, effective March 15, 1988; emergency amendment at 12 Ill. Reg. 14401, effective September 1, 1988; for a maximum of 150 days; modified in response to an objection of the Joint Committee on Administrative Rules at 12 Ill. Reg. 19531, effective November 4, 1988; not to exceed the 150 day time limit of the original rulemaking; emergency expired January 29, 1989; amended at 13 Ill. Reg. 11224, effective June 21, 1989; amended at 14 Ill. Reg. 241, effective December 21, 1989; amended at 14 Ill. Reg. 872, effective January 1, 1990; amended at 14 Ill. Reg. 1562, effective September 10, 1990; amended at 14 Ill. Reg. 16089, effective September 18, 1990; amended at 15 Ill. Reg. 6621, effective April 17, 1991; amended at 15 Ill. Reg. 1342, effective August 30, 1991; amended at 15 Ill. Reg. 15757, effective October 15, 1991; amended at 16 Ill. Reg. 16162, effective January 13, 1992; amended at 17 Ill. Reg. 860, effective January 11, 1993; amended at 17 Ill. Reg. 18142, effective October 4, 1993; amended at 17 Ill. Reg. 19651, effective November 1, 1993; amended at 18 Ill. Reg. 1537, effective January 13, 1994; amended at 18 Ill. Reg. 16666, effective November 7, 1994; amended at 19 Ill. Reg. 13446, effective September 12, 1995; amended at 19 Ill. Reg. 13568, effective September 11, 1995; amended at 19 Ill. Reg. 13968, effective March 4, 1996; amended at 20 Ill. Reg. 5366, effective March 26, 1996; amended at 20 Ill. Reg. 6991, effective May 7, 1996; amended at 20 Ill. Reg. 9116, effective July 2, 1996; amended at 21 Ill. Reg. 16200, effective DEC 16 1996.

## SUBPART S: SPECIFIC APPLICATIONS

## Section 130.201 Sales to Persons Who Lease Portable Personal Property to Exempt Hospitals

a) Effective January 1, 1996, sales of computers and communications equipment utilized for any hospital purpose that are sold to persons who lease those items to exempt hospitals are not subject to Retailers' Occupancy Tax provided:

1) the computers and communications equipment described above must all be purchased for lease to a tax exempt hospital under a lease that has been executed or is in effect at the time of purchase;

2) the lease must be for a period of one year or longer; and

3) the lease must be to a hospital that has an active tax exemption identification number issued by the Department under Section 13 of the Retailers' Occupation Tax Act (see Section 130.207 of this Part).

b) Effective January 1, 1996, sales of equipment other than that

## NOTICE OF ADOPTED AMENDMENTS

specified in subsection (a), used in the diagnosis, analysis, or treatment of hospital patients that is sold to persons who lease that equipment to exempt hospitals is not subject to Retailers' Occupancy Tax providing:

- 1) the equipment described above must all be purchased for lease to a tax exempt hospital under a lease that has been executed or is in effect at the time of purchase;
- 2) the lease must be for a period of one year or longer;
- 3) the lease must be to a hospital that has an active tax exemption identification number issued by the Department under Section 13 of the Retailers' Occupation Tax Act (see Section 130.207 of this Part);
- c) The retailer must retain the certification described below in the retailer's books and records to properly document the exemption described in this Section.
- d) When this exemption may be properly claimed on the purchase of computer or other communications equipment, the purchaser must give the seller a certification stating that the computer or other communications equipment being purchased for lease to a tax exempt hospital under a lease for a period of one year or longer executed or in effect at the time of the purchase.
- e) When this exemption may be properly claimed on the purchase of equipment used in the diagnosis, analysis, or treatment of hospital patients, the purchaser must give the seller a certification stating that the equipment is being purchased for lease to a tax exempt hospital under a lease for a period of one year or longer executed or in effect at the time of the purchase, and that the equipment is for use in the diagnosis, analysis, or treatment of hospital patients.

3) The certification described in subsections (c)(1) and (c)(2) of this Section must also contain all of the following:

- a) The seller's name and address;
- b) The purchaser's name and address;
- c) A description of the tangible personal property being purchased;
- d) The purchaser's signature and date of signing;
- e) The name and address of the hospital and its tax exemption identification number issued by the Department; and
- f) For purposes of this Section "hospital patients" means persons who seek any form of medical care including, but not limited to, medical treatment, diagnosis, or therapy at a hospital or at another location under the control and supervision of a hospital. For example, persons who are sent for X-rays or other tests at qualifying hospitals, even though those persons are not admitted to those hospitals, are considered hospital patients.

(Source: Added at 21 Ill. Reg. 16200, effective

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

DEC 16 1996

## Section 130.202 Sales to Persons Who Lease Tangible Personal Property to Governmental Bodies

a) Effective January 1, 1996, sales of tangible personal property to a lessor who leases that property to a governmental body are not subject to lessors' Occupation Tax provided that:

1) the tangible personal property must be purchased for lease to a governmental body under a lease that has been executed or is in effect at the time of purchase;

2) the lease must be for a period of one year or longer; and

3) the lease must be to a governmental body that has an active tax exemption identification number issued by the Department under Section 19 of the Retailers' Occupation Tax Act (see Section 130.2027 of this Part).

b) When this exemption may be properly claimed, the purchaser must give the seller a certification stating that the property is being purchased for lease to a governmental body under a lease of one year or longer, executed or in effect at the time of the purchase and containing all of the following:

1) the seller's name and address;

2) the purchaser's name and address;

3) a description of the tangible personal property being purchased;

4) the purchaser's signature and date of signing;

5) the name of the governmental body and its tax exemption identification number issued by the Department; and

6) The date the lease was executed and the lease period.

(Source: DEC 16 1996 at 21 ill. Reg. 16200, effective

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

## NOTICE OF ADOPTED AMENDMENTS

## 1) Heading of the Part: Service Occupation Tax

## 2) Code Citation: 86 Ill. Adm. Code 140

## 3) Section Numbers: Adopted Action:

## 4) Statutory Authority: 35 ILCS 115

## 5) Effective Date of Amendment(s): December 16, 1996

## 6) Does this rulemaking contain an automatic renewal date? No

## 7) Does this amendment contain incorporates by reference? No

## 8) Date Filed in Agency's Principal Office: December 16, 1996

## 9) Notice of Proposal Published in Illinois Register: July 5, 1996, 20 Ill.

## Reg. 86.7

## 10) Has ICAR issued a Statement of Objections to these Amendments? No

## 11) Differences between proposal and final version:

## 1) In Section 140.127.(a), deleted "and equipment used in the diagnosis,

## analysis, or treatment of hospital patients."

## 2) In subsection (a), deleted the comma after "hospitals".

## 3) In subsection (a), changed the comma after "computers" to "and" and

## deleted "and other equipment".

## 4) Added new subsection (b):

"b) Effective January 1, 1996, equipment, other than specified in subsection (a), used in the diagnosis, analysis or treatment of hospital patients that is transferred incident to a sale of service to persons who lease that equipment to exempt hospitals is not subject to Service Occupation Tax provided:

1) the equipment described above must all be purchased for lease to a tax exempt hospital under a lease that has been executed or is in effect at the time of purchase;

2) the lease must be for a period of one year or longer; and

3) the lease must be to a hospital that has an active tax

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

exemption identification number issued by the Department under Section 13 of the Retailers' Occupation Tax Act (see 86 Ill. Adm. Code 130,2007)."

5. Changed subsection "(b)" to subsection "d".
6. Changed subsection "(b)(1) and (b)(2)" to subsection "(c)(1) and (c)(2)".

7. Changed subsection "(c)" to subsection "g".

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this amendment replace an emergency amendment currently in effect? No

- 14) Are there any amendments pending on this Part? Yes

- Section Numbers  
140.125  
Proposed Action  
Amendment

- Ill Register Citation  
11/1/96, 20 Ill. Reg. 14175

- 15) Summary and Purpose of Amendment(s): this rulemaking is in response to Public Act 89-115 which provides that any tangible personal property purchased for lease to a governmental entity under a lease period of at least one year or longer is exempt from Service Occupation Tax. That Public Act also provides a similar exemption for computers and certain types of equipment purchased for lease to an exempt hospital. These proposed rules describe these exemptions and the documentation requirements for claiming the exemptions.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Terry D. Charlton  
Associate Counsel  
Illinois Department of Revenue  
Legal Services Office  
101 West Jefferson  
Springfield, Illinois 62794  
Phone: (217) 782-6996

The full text of the Adopted Amendment begins on the next page:

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUE

## PART 140

## SERVICE OCCUPATION TAX

## SUBPART A: NATURE OF TAX

- Section Basis and Rate of the Service Occupation Tax  
140.101 Registration of Servicemen  
140.105 Registration of Servicewomen  
140.110 Presumption that Tax Applies (Repealed)  
140.115 Occasional Sales to Servicemen by Suppliers (Repealed)  
140.120 Meaning of Serviceman  
140.125 Examples of Nontaxability  
140.126 Exemption of Food, Drugs and Medical Appliances  
140.127 Service Provided to Persons Who Lease Taxable Personal Property to Exempt Hospitals

- Section  
140.128 Persons Who Lease Taxable Personal Property to Governmental Bodies  
140.130 Suppliers of Printers (Repealed)  
140.135 Sales of Drugs and Related Items, to or by Pharmacists  
140.140 Other Examples of Taxable Transactions  
140.145 Multi-Service Situations

## SUBPART B: DEFINITIONS

- Section General Definitions  
140.201

- Section  
140.301 Cost, Price  
140.305 Refunds by Supplier or Serviceman

## SUBPART C: BASE OF THE TAX

- Section  
140.401 Monthly Returns When Due --- Contents of Returns  
140.405 Annual Tax Returns  
140.410 Final Return  
140.415 Taxpayer's Duty to Obtain Form  
140.420 Annual Information Returns by Servicemen  
140.425 Filing of Returns For Serviceman "Suppliers" by their Suppliers Under Certain Circumstances  
140.430 Incorporation by Reference

## SUBPART E: INTERSTATE COMMERCE

DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

Sales of Service Involving Property Originating in Illinois  
40-501  
Sales of Service Involving Property Originating Outside of Illinois  
40-505  
**SUBPART F: REGISTRATION UNDER THE SERVICE OCCUPATION TAX ACT**

**REGISTRATION UNDER THE SERVICE OCCUPATION TAX ACT  
SUBPART F:**

<p><b>General Information</b></p> <p>40.501</p>	<p><b>SUBPART G : BOOKS AND RECORDS</b></p> <p><b>Requirements</b></p>	<p><b>SUBPART H : PENALTIES, INTEREST AND PROCEDURE</b></p> <p><b>General Information</b></p>	<p><b>SUBPART I : WHEN OPINIONS FROM THE DEPARTMENT</b></p> <p><b>Written Opinions</b></p>
<p><b>Section</b></p> <p>40.501</p>	<p><b>Section</b></p> <p>40.501</p>	<p><b>Section</b></p> <p>40.501</p>	<p><b>Section</b></p> <p>40.501</p>

**SUBPART J: COLLECTION OF THE TAX**

Section	Payment of Tax to the Supplier
40.10.001	Receipt to be Obtained for Tax Payments
40.10.005	Payment of Tax Directly to the Department
40.10.010	Itemisation of the Tax by Suppliers
40.10.015	Use of Bracket Chart
40.10.20	Advertising in Regard to the Tax
40.10.25	

THE DUE DATE WHICH THIS ISSUE IS DUE.

SECTION 40.110	Filing of Documents with the Department	SUPPORT I: LEASED PORTIONS OF LESSOR'S BUSINESS SPACE
SECTION 40.120	When Lessee of Premises May File Return for Leased Department when lessor of Premises should file in Regulation Meaning of "Lessor" and "Lessee"	When lessee of premises may file return for leased department when lessor of premises should file in this regulation meaning of "lessor" and "lessee"

**SUBPART M: USE OF EXEMPTION CERTIFICATES**

DEPARTMENT OF REVENUE

NOTICE OF MEETINGS

**Section 101** When Purpose of Serviceman's Purchase is Known (Repealed)  
**101.101** When Purpose of Serviceman's Purchase is Unknown  
**140.1305** Blank Percentage Exemption Certificates (Repealed)  
**140.1310**

**SUBPART N: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX**

**SUBPART N: CLAIMS TO RECOVER IRREBUTTABLELY PAID TAX**

Section 1101-1101.101 Claims for Credit -- Limitations -- Procedure  
1101.101-1101.105 Disposition of Credit Memoranda by Holders Thereof  
1101.110 Refunds  
1101.111 Interest  
1101.140-1101.145 Interest

Section 140.1501  
Subpart O: DISCONTINUATION OF A BUSINESS  
Procedures

**SUBPART P: NOTICE OF SALES OF GOODS IN BULK**

**Section 140.1601 Requirements and Procedures**

SUBPART Q: POWER OF ATTORNEY

**Section** 1401.1701 General Information  
**AUTORORITY:** Implementing the Service Occupation Tax Act [35 IICGS 115] and authorized by Section 39b30 of the Civil Administrative Code of Illinois [20 IICGS 2505/39b30].  
**SOURCE:** Adopted May 21, 1962; Amended at 1-111. Reg. 23, D-161, effective 1401.1701

June 3, 1979; amended at 3 III, Reg. P-198, effective October 19, 1979;  
amended at 4 III, Reg. P-24, PP. 536 and 550, effective June 1, 1981;  
amended at 5 III, Reg. 822, effective January 2, 1981; amended at 6 III, Reg. 3, 1982; modified at 6  
March 3, 1982; modified at 7 III, Reg. 2895 and 2897, effective May 14, 1985; amended at 8 III, Reg. 7911, effective May 14, 1985; amended at 9 III, Reg. 9326, amended at 9 III, Reg. 10090, effective August 11, 1987; emergency amendment at 12 III,  
Reg. 14149, effective September 1, 1988; for a maximum of 150 days; emergency amendment at 12 III, Reg. 9388, effective June 1, 1988;  
amended at 13 III, Reg. 9389, effective June 1, 1989; amended at 14 III, Reg. 262, effective January 1, 1990; amended at 15 III, Reg. 5834, effective  
April 1, 1990; effective September 1, 1990; amended at 18 III, Reg. 1590, effective January 13, 1991;  
amended at 20 III, Reg. 5379, effective March 26, 1996; ~~amended at 20 III, Reg. 10700, effective April 1, 1996; amended at 20 III, Reg.~~  
~~10700, effective April 1, 1996; amended at 20 III, Reg.~~ **10701**, effective April 1, 2001, ~~at 20 III, Reg.~~

THE JOURNAL OF CLIMATE

## NOTICE OF ADOPTED AMENDMENTS

## SUBPART A: NATURE OF TAX

Section 140.127. Service Provided to Persons Who Lease Tangible Personal Property to Exempt Hospitals

- a) Effective January 1, 1996, computers and communications equipment utilized for any hospital purpose that are transferred incident to a sale of service to persons who lease those items to exempt hospitals are not subject to Service Occupation Tax provided:
- 1) The computers and communications equipment described above must be leased to a tax exempt hospital under a lease that has been executed or is in effect at the time of purchase;
  - 2) the lease must be for a period of one year or longer; and
  - 3) the lease must be to a hospital that has an active tax exemption identification number issued by the Department under Section 130 of the Retailers' Occupation Tax Act (see 86 Ill. Adm. Code 130.2007).
- b) Effective January 1, 1996, equipment other than that specified in subsection (a), used in the diagnosis, analysis, or treatment of hospital patients that is transferred incident to a sale of service to persons who lease that equipment to exempt hospitals is not subject to Service Occupation Tax provided:
- 1) the equipment described above must all be purchased for lease to a tax exempt hospital under a lease that has been executed or is in effect at the time of purchase;
  - 2) the lease must be for a period of one year or longer; and
  - 3) the lease must be to a hospital that has an active tax exemption identification number issued by the Department under Section 130 of the Retailers' Occupation Tax Act (see 86 Ill. Adm. Code 130.2007).
- c) The serviceperson must retain the certification described below in his books and records to properly document the exemption described in this section.
- 1) When this exemption may be properly claimed for equipment used in the diagnosis, analysis, or treatment of hospital patients, the service customer must give the serviceperson a certification stating that the equipment is being purchased for lease to a tax exempt hospital under a lease for a period of one year or longer executed or is in effect at the time of the purchase, and that the equipment is for use in the diagnosis, analysis, or treatment of hospital patients.
- 2) The certification described in subsections (c)(1) and (c)(2) of

## NOTICE OF ADOPTED AMENDMENTS

## DEPARTMENT OF REVENUE

This Section must also contain all of the following:

- A) The serviceperson's name and address;
  - B) The service customer's name and address;
  - C) A description of the tangible personal property being transferred incident to the sale of service;
  - D) The service customer's signature and date of signing;
  - E) The name and address of the hospital and its tax exemption identification number issued by the Department; and
  - F) The date the lease was executed and the lease period.
- For purposes of this Section, "hospital patients" means persons who seek any form of medical care in a hospital, but not limited to: medical treatment, testing, diagnosis, or therapy at a hospital or at another location under the control and supervision of a hospital. For example, persons who are sent by doctors for X-rays or other tests at qualifying hospitals, even though those persons are not admitted to those hospitals, are considered hospital patients.

(Source: Added at 20 Ill. Reg. 16211, effective Dec 10 1995)

Section 140.128 Persons Who Lease Tangible Personal Property to Governmental Bodies

- a) Effective January 1, 1996, tangible personal property transferred incident to a sale of service to a lessor who leases that property to a governmental body is not subject to Service Occupation Tax provided that:
- 1) the property must be leased to a governmental body under a lease that has been executed or is in effect at the time of purchase;
  - 2) the lease must be for a period of one year or longer; and
  - 3) the lease must be to a governmental body that has an active tax exemption identification number issued by the Department under Section 130 of the Retailers' Occupation Tax Act (see 86 Ill. Adm. Code 130.2007).
- b) When this exemption may be properly claimed, the service customer must give the serviceperson a certification stating that the property is for lease to a governmental body under a lease of one year or longer executed or is in effect at the time of the purchase, and containing all of the following:

- 1) The serviceperson's name and address;
  - 2) The service customer's name and address;
  - 3) A description of the tangible personal property being purchased;
  - 4) The service customer's signature and date of signing;
  - 5) The name of the governmental body and its tax exemption identification number issued by the Department; and
  - 6) The date the lease was executed and the lease period.
- (Source: Added at 20 Ill. Reg. 16211, effective

PREDATOR OF THE WILDLIFE

DEPARTMENT OF REVENUE

DEO 16 1000

TITANIC BEQUEST

卷之三

- 1) **Heading of the Part:** Service Use Tax

2) **Code Citation:** 86 Ill. Adm. Code 160

3) **Section Number(s):** Adopted Action:  
160.116 New Section  
160.117 New Section

4) **Statutory Authority:** 35 ILCS 110

5) **Effective Date of Amendment(s):** December 16, 1996

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Does this amendment contain innovations by inference?** No

8) **Date Filed in Agency's Principal Office:** December 16, 1996

9) **Notice of Proposed Published in Illinois Register:** July 5, 1996, 20 Ill. Reg. 8644

10) **Has JCAR issued a Statement of Objections to these amendments?** No

11) **Differences between JCAR proposal and final version:**

  1. In Section 160.116(a), deleted "and equipment used in the diagnosis, analysis, or treatment of hospital patients."
  2. In subsection (a), deleted the comma after "hospital".
  3. In subsection (a)(1), changed the comma after "computers" to "and" and deleted "z" and other equipment".

b) Effective January 1, 1996, equipment other than that specified in subsection (a), used in the diagnosis, treatment or transfusion of hospital patients that is transferred, incident to the sale of service to persons who lease that equipment to exempt hospitals is not subject to Service Use Tax provided:

- 1) the equipment described above must all be purchased for

- 2) the lease must be for a period of one year or longer; and
  - 3) the lease must be to a hospital that has an active lease to a tax exempt hospital under a lease that has been executed or is in effect at the time of purchase.

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

exemption identification number issued by the Department under Section 1.1 of the Retailers' Occupation Tax Act. See 86 Ill. Adm. Code 130.2007.)"

5. Changed subsection "b)" to subsection "c1".
6. Changed subsection "(b)(1) and (b)(2)" to subsection "(c)(1) and (c)(2)".
7. Changed subsection "c1" to subsection "g1".
8. Changed subsection "d)" to subsection "e".
9. In subsection (e), changed references from "are" to "is".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendment(s): This rulemaking is in response to Public Act 89-115 which provides that any tangible personal property purchased for lease to a government entity under a lease period of at least one year or longer is exempt from Service Use Tax. That Public Act also provides a similar exemption for computers and certain types of equipment purchased for lease to an exempt hospital. These proposed rules describe these exemptions and the documentation requirements for claiming the exemptions.

- 16) Information and questions regarding this adopted amendment shall be directed to:
- Terry D. Charlton  
Associate Counsel  
Illinois Department of Revenue  
Legal Services Office  
101 West Jefferson  
Springfield, Illinois 62794  
217/782-6596

The full text of the Adopted Amendment begins on the next page:

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUE

## PART 160

## SERVICES USE TAX

Section	Nature of the Tax
160.101	Definitions
160.105	Kinds of Uses and Users Not Taxed
160.110	Collection Of The Service Use Tax By Service Persons Who Lease Tangible Personal Property to Exempt Hospitals
160.115	Persons Who Lease Tangible Personal Property to Governmental Bodies
160.117	Recert For The Tax
160.120	Special Information For Taxable Users
160.125	Registration Of Servicemen
160.130	Serviceman's Return
160.135	Penalties, Interest And Procedures
160.140	Incorporation Of Illinois Service Occupation Tax Regulations By Reference
160.145	Claims To Recover Erroneously Paid Tax--Limitations--Procedures
160.150	Disposition Of Credit Memoranda By Holders Thereof
160.155	Interest

AUTHORITY: Implementing the Service Use Tax Act [35 ILCS 110] and authorized by Section 39b30 of the Civil Administrative Code of Illinois [20 ILCS 2505/39b30].

SOURCE: Adopted May 21, 1962; codified at 6 Ill. Reg. 9326; amended at 8 Ill. Reg. 8619, effective June 5, 1984; amended at 11 Ill. Reg. 5322, effective March 17, 1987; amended at 11 Ill. Reg. 9933, effective May 8, 1987; amended at 13 Ill. Reg. 9339, effective June 6, 1989; amended at 15 Ill. Reg. 5845, effective April 5, 1991; amended at 18 Ill. Reg. 1557, effective January 13, 1994; and at 20 Ill. Reg. 7015, effective May 7, 1996; amended at 20 Ill. Reg. 16 1/2, effective DEC 16 1996.

Section 160.116 Persons Who Lease Tangible Personal Property to Exempt Hospitals

- a) Effective January 1, 1996, computers and communications equipment utilized for any hospital purpose that are transferred incident to the sale or service to persons who lease those items to exempt hospitals are not subject to Service Use Tax providing:
  - 1) the computers and communications equipment described above must be leased to a tax exempt hospital under a lease that has been executed or is in effect at the time of purchase;
  - 2) the lease must be for a period of one year or longer; and

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

- 1) The lease must be to a hospital that has an active tax exemption identification number issued by the Department under Section 1.3 of the Retailers' Occupation Tax Act (see 86 Ill. Adm. Code 130.20071).
- 2) Effective January 1, 1996, equipment other than that specified in subsection (1), used in the diagnosis, analysis, or treatment of hospital patients that is transferred incident to the sale of service to persons who lease that equipment to exempt hospitals is not subject to Service Use Tax providing:
- a) the equipment described above must all be purchased for lease to a tax exempt hospital under a lease that has been executed or is in effect at the time of purchase;
- b) the lease must be for a period of one year or longer; and
- c) the lease must be to a hospital that has an active tax exemption identification number issued by the Department under Section 1.3 of the Retailers' Occupation Tax Act (see 86 Ill. Adm. Code 130.20071).
- 3) The service customer must provide the certification described below to the servicer.
- 4) When this exemption may be properly claimed for computer or other communications equipment, the service customer must give the servicer a certification stating that the computer or other communication equipment is for lease to a tax exempt hospital under a lease for a period of one year or longer executed or in effect at the time of the purchase.
- 5) When this exemption may be properly claimed for equipment used in the diagnosis, analysis, or treatment of hospital patients, the service customer must give the servicer a certification stating that the equipment is for lease to a tax exempt hospital under a lease for a period of one year or longer executed or in effect at the time of the purchase and that the equipment is for use in the diagnosis, analysis, or treatment of hospital patients.
- 6) The certification described in subsections (c)(1) and (c)(2) of this Section must also contain all of the following:
- A) The servicer's name and address;
- B) The service customer's name and address;
- C) A description of the tangible personal property;
- D) The service customer's signature and date of signing;
- E) The name and address of the hospital and its tax exemption identification number issued by the Department; and
- F) The date the lease was executed and the lease period.
- 7) For purposes of this Section, hospital patients means persons who seek any form of medical care including, but not limited to, medical treatment, testing, diagnosis, or treatment at a hospital or at another facility under the control and supervision of a hospital. For example, persons who are sent by doctors for X-rays or other tests at those hospitals are considered hospital patients.

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

- 1) If the computers or other equipment is used in a manner that does not qualify for the exemption or is used in any other non-exempt manner, the lessor is liable for the ad hoc rate tax imposed under the Service Use Tax Act. In that event, the amount of Service Use Tax liability incurred is based on the fair market value of the computers or other equipment at the time the non-qualifying use occurred.

(Source: Added at 20 Ill. Reg. **16219**, effective **DEC 16 1996**)

## Section 160.117 Persons Who Lease Tangible Personal Property to Governmental Bodies

- 1) Effective January 1, 1996, tangible personal property transferred incident to a sale of service to a lessor who leases that property to a governmental body is not subject to Service Use Tax provided that:
- a) the property must be leased to a governmental body under a lease that has been executed or is in effect at the time of purchase;
- b) the lease must be for a period of one year or longer; and
- c) the lease must be to a governmental body that has an active tax exemption identification number issued by the Department under Section 1.1 of the Retailers' Occupation Tax Act (see 86 Ill. Adm. Code 130.20071).

- d) When this exemption may be properly claimed, the service customer must give the servicer a certification stating that the property is for lease to a governmental body under a lease of one year or longer executed or in effect at the time of the purchase, and containing all of the following:
- 1) The servicer's name and address;
- 2) The service customer's name and address;
- 3) A description of the tangible personal property being purchased;
- 4) The service customer's signature and date of signing;
- 5) The name of the governmental body and its tax exemption identification number issued by the Department; and
- 6) The date the lease was executed and the lease period.

- e) If the property is used in a manner that does not qualify for the exemption or is used in any other non-exempt manner, the lessor is liable for the ad hoc rate tax imposed under the Service Use Tax Act. In that event, the amount of Service Use Tax liability incurred is based on the fair market value of the property at the time the non-qualifying use occurred.

(Source: Added at 20 Ill. Reg. **16219**, effective **DEC 16 1996**)

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Use "Tax

2) Code Citation: 86 Ill. Adm. Code 150

3) Section Number: Adopted Action:  
150-331  
150-332

4) Statutory Authority: 35 ICS 105

5) Effective Date of Amendment(s): December 16, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: December 16, 1996

9) Notice of Petition Published in Illinois Register: July 5, 1996, 20 Ill. Reg. 8619

10) Has JCAR issued a Statement of Objections to these Amendments? No

11) Differences between proposed and final version:

1. In Section 150-331, subsection (a), deleted "and equipment used in the diagnosis, analysis, or treatment of hospital patients."
2. In subsection (a), changed the comma after "computers" to "and" and deleted "...and other equipment".

3. Added a new subsection (b):

- "b) effective January 1, 1996, equipment, other than that specified in subsection (a), used in the diagnosis, analysis, or treatment of hospital patients that is purchased by persons who lease that equipment to exempt hospitals is not subject to use tax providing:
- 1) the equipment described above must all be purchased for lease to a tax exempt hospital under a lease that has been executed or is in effect at the time of purchase;
  - 2) the lease must be for a period of one year or longer; and
  - 3) the lease must be to a hospital that has an active tax exemption identification number issued by the Department under Section 13 of the Retailers' Occupation Tax Act; see

- 14) Are there any amendments pending on this Part? No  
 15) Summary and Purpose of Amendment(s): This rulemaking is in response to Public Act 89-115 which provides that any tangible personal property purchased for lease to a governmental entity under a lease period of at least one year or longer is exempt from use tax. That Public Act also provides a similar exemption for computers and certain types of equipment purchased for lease to an exempt hospital. These proposed rules describe these exemptions and the documentation requirements for claiming the exemptions.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Terry D. Chariton  
 Associate Counsel  
 Illinois Department of Revenue  
 Legal Services Office  
 101 West Jefferson  
 Springfield, Illinois 62794  
 217/782-6996

The full text of the Adopted Amendment begins on the next page:

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 86: REVENUE

## CHAPTER I: DEPARTMENT OF REVENUE

PART 150  
USE TAX

## SUBPART A: NATURE OF THE TAX

- Section 150.101. Description of the Tax  
 150.102. Rate and Basis of Tax  
 150.103. How to Compute Depreciation  
 150.110. Effective Date of New Taxes  
 150.115. Relation of Use Tax to Retailers' Occupation Tax  
 150.120. Accounting For the Tax  
 150.125. How to Avoid Paying Tax on Use Tax Collected From the Purchaser

## SUBPART B: DEFINITIONS

## SUBPART C: KINDS OF USES AND USERS NOT TAXED

- Section 150.201. General Definitions  
 Cross References  
 150.301. Effect of Limitation that Purchase Must be at Retail from a Retailer to be Taxable  
 150.305. Interim Use and Demonstration Exemptions  
 150.306. Exemptions to Avoid Multi-State Taxation  
 150.310. Non-resident Exemptions  
 150.311. Meaning of "Required Outside This State"  
 150.320. Organizations, Religious, Educational and Senior Citizens Recreational Organizations as Buyers  
 150.325. Governmental Bodies as Buyers  
 150.330. Persons Who Lease Tangible Personal Property to Hospitals  
 150.331. Persons Who Lease Tangible Personal Property to Governmental Bodies  
 150.332. Persons Who Lease Tangible Personal Property to Retailers

## SUBPART D: COLLECTION OF THE USE TAX FROM USERS BY RETAILERS

- Section 150.401. Collection of the Tax by Retailers From Users  
 150.405. Tax Collection Brackets for a 2-1/4% Rate of Tax (Repealed)  
 150.410. Tax Collection Brackets for a 2-1/2% Rate of Tax (Repealed)  
 150.415. Tax Collection Brackets for a 2-3/4% Rate of Tax (Repealed)  
 150.420. Tax Collection Brackets for a 3% Rate of Tax (Repealed)

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

## DEPARTMENT OF REVENUE Brackets for a 3-1/8% Rate of Tax (Repealed)

- 150.430. Tax Collection Brackets for a 3-1/4% Rate of Tax (Repealed)  
 150.435. Tax Collection Brackets for a 3-1/2% Rate of Tax (Repealed)  
 150.440. Tax Collection Brackets for a 3-1/2% Rate of Tax (Repealed)  
 150.445. Tax Collection Brackets for a 3-3/4% Rate of Tax (Repealed)  
 150.450. Tax Collection Brackets for a 4% Rate of Tax (Repealed)  
 150.455. Tax Collection Brackets for a 4-1/8% Rate of Tax (Repealed)  
 150.460. Tax Collection Brackets for a 4-1/4% Rate of Tax (Repealed)  
 150.465. Tax Collection Brackets for a 4-1/2% Rate of Tax (Repealed)  
 150.470. Tax Collection Brackets for a 4-3/4% Rate of Tax (Repealed)  
 150.475. Tax Collection Brackets for 5% Rate of Tax (Repealed)  
 150.480. Tax Collection Brackets for a 5-1/8% Rate of Tax (Repealed)  
 150.485. Tax Collection Brackets for a 5-1/4% Rate of Tax (Repealed)  
 150.490. Tax Collection Brackets for a 5-1/2% Rate of Tax (Repealed)  
 150.495. Tax Collection Brackets for 5-3/4% Rate of Tax (Repealed)  
 150.500. Tax Collection Brackets for a 6% Rate of Tax (Repealed)  
 150.505. Optional 1A Schedule (Repealed)  
 150.510. Exact Collection of Tax Required When Practicable  
 150.515. Prohibition Against Retailer's Representing That He Will Absorb The Tax

SUBPART E: RECEIPT FOR THE TAX  
 Display of Tax Collection Schedule  
 Methods for Calculating Tax on Sales of Items Subject to Differing Tax Rates

## SUBPART F: RECEIPT FOR THE TAX

## SUBPART G: SPECIAL INFORMATION FOR TAXABLE USERS

- Section 150.601. Requirements  
 When and Where to File a Return  
 Use Tax on Items that are Pinted or Registered in Illinois  
 Procedure in Claiming Exemption from Use Tax  
 Receipt for Tax or Proof of Exemption Must Accompany Application for Title or Registration  
 Display Certificates for House Trailers  
 Issuance of Title or Registration Where Retailer Fails or Refuses to Remit Tax Collected by Retailer From User  
 Direct Payment of Tax by User to Department on Intrastate Purchase Under Certain Circumstances  
 Direct Reporting of Use Tax to Department by Registered Retailers

## SUBPART H: REGISTRATION OF OUT-OF-STATE RETAILERS

- Section 150.801. When Out-of-State Retailers Must Register and Collect Use Tax  
 Voluntary Registration by Certain Out-of-State Retailers

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

## 150.810 Incorporation by Reference

## SUBPART H: RETAILERS' RETURNS

Section When and Where to File  
150.901 Deduction for Collecting Tax  
150.905 Incorporation by Reference

Itemization of Receipts from Sales and the Tax Among the Different States From Which Sales are Made into Illinois  
150.915

## SUBPART I: PENALTIES, INTEREST AND PROCEDURES

## Section 150.1001 General Information

## SUBPART J: TRADED-IN PROPERTY

## Section 150.1101 General Information

## SUBPART K: INCORPORATION OF ILLINOIS RETAILERS' OCCUPATION TAX REGULATIONS BY REFERENCE

## Section 150.1201 General Information

## SUBPART L: BOOKS AND RECORDS

## Section 150.1301 Users' Records

## 150.1305 Retailers' Records

Consequence of Not Complying with Requirement of Collecting Use Tax Separately From the Selling Price  
150.1310  
150.1315 Incorporation by Reference

## SUBPART M: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

## Section 150.1401 Claims for Credit--Limitations--Procedure

## 150.1405 Disposition of Credit Memoranda by Holders Thereof

## 150.1410 Refunds

## 150.1415 Interest

## TABLE A Tax Collection Brackets

AUTHORITY: Implementing the Use Tax Act [35 ILCS 105] and authorized by Section 162-24, effective [DEC 16 1996].  
1) When this exemption may be properly claimed on the purchase of

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

## Section 39b2B of the Civil Administrative Code of Illinois [20 ILCS 2505/39b2B].

SOURCE: Adopted August 1, 1955; amended at 4 Ill. Reg. 24, p. 553, effective June 1, 1980; amended at 5 Ill. Reg. 5351, effective April 30, 1981; amended at 5 Ill. Reg. 11072, effective October 6, 1981; codified at 6 Ill. Reg. 9326; amended at 8 Ill. Reg. 3704, effective March 12, 1984; amended at 8 Ill. Reg. 7278, effective May 11, 1984; amended at 8 Ill. Reg. 8623, effective June 5, 1984; amended at 11 Ill. Reg. 6275, effective March 20, 1987; amended at 14 Ill. Reg. 6835, effective April 19, 1990; amended at 15 Ill. Reg. 5861, effective April 5, 1991; emergency amendment at 16 Ill. Reg. 1889, effective September 1, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 1987, effective February 2, 1993; amended at 18 Ill. Reg. 1584, effective January 13, 1994; amended at 20 Ill. Reg. 7019, effective July 7, 1996; amended at 20 Ill.

Reg. 162-24, effective [DEC 16 1996].

## SUBPART C: KINDS OF USES AND USERS NOT TAXED

## Section 150.331 Persons Who Lease Tangible Personal Property to Exempt Hospitals

a. Effective January 1, 1996, computers and communications equipment utilized for any hospital purpose that are purchased by persons who lease those items to exempt hospitals are not subject to Use Tax provided:  
1) the computers and communications equipment described above must all be purchased for lease to a tax exempt hospital under a lease that has been executed or is in effect at the time of purchase.  
2) the lease must be for a period of one year or longer;  
3) the lease must be to a hospital that has an active tax exemption identification number issued by the Department under Section 15 of the Retailers' Occupation Tax Act (see 86 Ill. Adm. Code 130-2007).

b. Effective January 1, 1996, equipment other than that specified in subsection (a) used in the diagnosis, analysis, or treatment of hospital patients that is purchased by persons who lease that equipment to exempt hospitals is not subject to Use Tax provided:  
1) the equipment described above must all be purchased for lease to a tax exempt hospital under a lease that has been executed or is in effect at the time of purchase;  
2) the lease must be for a period of one year or longer; and  
3) the lease must be to a hospital that has an active tax exemption identification number issued by the Department under Section 13 of the Retailers' Occupation Tax Act (see 86 Ill. Adm. Code 130-2007).

c. The purchaser must provide the certification described below to the seller.  
1) When this exemption may be properly claimed on the purchase of

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

computer or other communications equipment, the purchaser must give the seller a certification stating that the equipment is being purchased for lease to a tax exempt hospital under a lease for a period of one year or less executed or in effect at the time of the purchase.

2) When this exemption may be properly claimed on the purchase of equipment used in the diagnosis, analysis, or treatment of hospital patients, the purchaser must give the seller a certification stating that the equipment is being purchased for a lease for a period of one year or longer, executed or in effect at the time of the purchase, and that the equipment is for use in the diagnosis, analysis, or treatment of hospital patients.

3) The certification described in subsections (c)(1) and (c)(2) of this Section must also contain all of the following:

A) The seller's name and address;

B) The purchaser's name and address;

C) A description of the tangible personal property being purchased;

D) The purchaser's signature and date of signing;

E) The name and address of the lessor and its tax exemption identification number issued by the Department; and

F) The date the lease was executed and the lease period.

d) For purposes of this Section hospital patients, persons who seek any form of medical care, including, but not limited to, medical treatment, testing, diagnosis, or therapy at a hospital, or at another location under the control and supervision of a hospital. For example, persons who are sent by doctors for X-rays or other tests at non-hospital facilities, even though those persons are not admitted to those hospitals, are considered hospital patients.

e) If computers or other equipment is purchased by a lessor under the provisions of this Section and the computers or other equipment is used in a manner that does not qualify for the exemption or is used in any other non-exempt manner, the lessor is liable for the concurrent tax imposed under the Use Tax Act. In that event, the amount of Use Tax liability incurred is based on the fair market value of the computers or other equipment at the time the non-exempters use is incurred.

(Source: Added at 20 Ill. Reg. **16224**, effective **DEC 16 1996**)

Section 150-322 Persons Who Lease Tangible Personal Property to Governmental Bodies

a) Effective January 1, 1996, sales of tangible personal property to a lessor who leases that property to a governmental body are not subject to Use Tax provided that:

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

- 1) the tangible personal property must be purchased for lease to a governmental body under a lease that has been executed or is in effect at the time of purchase;
- 2) the lease must be for a period of one year or longer; and
- 3) the lease must be to a governmental body that has an active tax exemption identification number issued by the Department under Section 130 of the Retailers Occupation Tax Act (see 86 Ill. Adm. Code 130-2007).

b) When this exemption may be properly claimed, the purchaser must have purchased for lease to a governmental body, under a lease of one year or longer, executed or in effect at the time of the purchase, and containing all of the following:

1) the seller's name and address;

2) the purchaser's name and address;

3) A description of the tangible personal property being purchased;

4) The purchaser's signature and date of signing;

5) The name of the governmental body and its tax exemption identification number issued by the Department; and

6) The date the lease was executed and the lease period.

If the property is purchased by a lessor under the provisions of this Section and the property is used in a manner that does not qualify for the exemption or is used in an other non-exempt manner, the lessor is liable for the concurrent tax imposed under the Use Tax Act. In that event, the amount of Use Tax liability incurred is based on the fair market value of the non-exempting use occurred.

(Source: Added at 20 Ill. Reg. **16224**, effective **DEC 16 1996**)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF MODIFICATION

Heading of the Part: Bonding and Insurance Requirements for Surface Coal Mining and Reclamation Operations

Code Citation: 62 Ill. Adm. Code 1800

Register Citation: 20 Ill. Reg. 4224, March 15, 1996

## Agency Response to Specific Joint Committee Objection:

The Department has withdrawn the definition of "Generally Accepted Accounting Principles" from this rulemaking.

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

Statute requiring the agency to publish information concerning interest rate information in the Illinois Register:

Name of Act: Uniform Penalty and Interest Act  
Citation: 35 ILCS 7/5-3-1

## Summary of Information:

Section 3-2(a) of the Uniform Penalty and Interest Act provides that interest paid by the Department of Revenue and interest charged to taxpayers by the Department shall be paid at the annual rate determined by the Department. That rate is the underpayment rate established under Section 621 of the Internal Revenue Code.

Section 3-2(b) of the UPIA states that the interest rate shall be adjusted on a semiannual basis, on January 1 and July 1, based upon the underpayment rate going into effect on that January 1 or July 1 under Section 621 of the Internal Revenue Code.

Recently, in Revenue Ruling 96-61, the Internal Revenue Service announced that the underpayment rate will be 9% for the period beginning January 1, 1997. Therefore, the interest rate paid by the Illinois Department of Revenue and the interest rate charged to taxpayers by the Illinois Department of Revenue will be 9% from January 1, 1997 through June 30, 1997.

## Name and address of person to contact concerning this information:

Keith Staats  
Associate Chief Counsel (Income Tax)  
Legal Services Office  
Illinois Department of Revenue  
101 W. Jefferson  
Springfield, Illinois 62794  
Phone: (217) 782-7055

## HEALTH FACILITIES PLANNING BOARD

## NOTICE OF PUBLICATION ERROR

Heading of the Part: Narrative and Planning PoliciesCode Citation: 77 Ill. Adm. Code 1100Adopted Action:

Amended  
1100.750  
1100.760  
New

Register Citation:

20 Ill. Reg. 4149

Date Proposed:

March 15, 1996

Date Adopted:

November 15, 1996

Register Citation:

20 Ill. Reg. 14778

EDITOR'S NOTE: Due to a typographical error in Register materials submitted for publication, the correct effective date for this rulemaking is November 15, 1996, as indicated on the Agency Certificate filed with the Secretary of State.

## HEALTH FACILITIES PLANNING BOARD

## NOTICE OF PUBLICATION ERROR

Heading of the Part: Processing, Classification Policies and Review CriteriaCode Citation: 77 Ill. Adm. Code 1110Adopted Action:

Amended  
1110.1540  
1110.2550  
New

Register Citation:

20 Ill. Reg. 4149

Section Numbers:

1110.2710  
1110.2730  
1110.2740  
1110.2750  
New

Adopted Action:

Amended  
1110.2710  
1110.2730  
1110.2740  
1110.2750  
New

Date Proposed:

March 15, 1996

Date Adopted:

November 15, 1996

EDITOR'S NOTE: Due to a typographical error in Register materials submitted for publication, the correct effective date for this rulemaking is November 15, 1996, as indicated on the Agency Certificate filed with the Secretary of State.

Register Citation:

20 Ill. Reg. 4141

Register Citation:

20 Ill. Reg. 14785

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of December 10, 1996 through December 16, 1996 and have been scheduled for review by the Committee at its January 21, 1997 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

## Second

## Notice

## Agency and Rule

## Expires

1/24/97 Department of Insurance, Repeal of Extension of Service to Additional Counties (50 Ill Adm Code 5602)

1/26/96 Department of Central Management Services, State of Illinois Medical Care Assistance Plan (80 Ill Adm Code 2120)

1/26/96 Department of Central Management Services, State of Illinois Dependent Care Assistance Plan (80 Ill Adm Code 2110)

1/29/97 Department of Mental Health and Developmental Disabilities, Minimum Standards for Licensure of Community Residential Alternatives (59 Ill Adm Code 113)

1/29/97 Department of Mental Health and Developmental Disabilities, Standards for Certification of Developmental Training Programs (59 Ill Adm Code 119)

1/29/97 Department of Mental Health and Developmental Disabilities, Treatment and Rehabilitation Services (59 Ill Adm Code 112)

1/29/97 Department of Mental Health and Developmental Disabilities, Standards and Licensure Requirements for Community-Integrated Living

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

Arrangements (59 Ill Adm Code 115)  
1/29/97 Department of Insurance, Annual Audited Financial Report (50 Ill Adm Code 925) 12687  
1/21/97

## NOTICE

## JCAB

## Meeting

## PROCLAMATIONS

96-673

## GENERAL ELECTION CANVASS -

## ASSEMBLMENT OF PRESIDENTIAL ELECTORS

## STATE OF ILLINOIS

## ) SS

## EXECUTIVE DEPARTMENT

WHEREAS, On the 5th day of November, 1996, pursuant to the Statute in such case made and provided, an election was held in the State of Illinois for the purpose of electing on a general ballot, twenty-two (22) Electors of President and Vice President of the United States; and

WHEREAS, In accordance with the Statute aforesaid for the final ascertainment of the result of said election, held as aforesaid, we, the following members of the State Board of Elections, the officers appointed by law to canvass the returns made by the County Clerks of the several counties in the State, of the votes given at said election on the 26th day of November, 1996, at the office of the State Board of Elections, in the City of Springfield, State of Illinois, proceeded to canvass the returns of the election as aforesaid, being the official abstracts transmitted to the State Board of Elections of this State, of all votes given in each and every county in the State of Illinois, at the election held November 5, 1996, for Electors for President and Vice President of the United States, and it appears as the result of such canvass that the following named persons were voted for, for the office of Electors of President and Vice President of the United States in this State, and the number of votes given for each person is set opposite to his respective name, this is to say:

## ELECTORS FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES DEMOCRATIC PARTY

Addie C. Wyatt	received	2,341,744	votes	Adeline P. Wyatt	received	2,341,744	votes
Donald Pedro	received	2,341,744	votes	John Deboe Stauffer	received	346,408	votes
Rose Marie Lipinski	received	2,341,744	votes	Barbara Scott Price	received	346,408	votes
Neomi Hernandez	received	2,341,744	votes	Jesse M. Dowell	received	346,408	votes
James DiToro	received	2,341,744	votes	Dan Kafis	received	346,408	votes
Jean Brennan	received	2,341,744	votes	Frank R. Hoover	received	346,408	votes
Eileen Jackson	received	2,341,744	votes	William H. Marquis	received	346,408	votes
James Stephan	received	2,341,744	votes	Grace J. Nathan	received	346,408	votes
William Matovitz	received	2,341,744	votes	Daniel A. Counts	received	346,408	votes
Dan Pearce	received	2,341,744	votes	Stephen Tomahale	received	346,408	votes
Marge Friedman	received	2,341,744	votes	William P. Rakes	received	346,408	votes
Ruth Jackson	received	2,341,744	votes	John A. Corey	received	346,408	votes
Kathryn "Tinker" Harvey	received	2,341,744	votes	Linda P. Stoecker	received	346,408	votes
Mary Lou Kearns	received	2,341,744	votes	Joann Calvetti	received	346,408	votes
Carolyn Brown Hodge	received	2,341,744	votes	Bugene H. Finley	received	346,408	votes
John Nelson	received	2,341,744	votes	Robert D. Zesiger	received	346,408	votes
Dave Bybee	received	2,341,744	votes	Steven C. Zarke	received	346,408	votes
Shirley McCombs	received	2,341,744	votes	Gilbert G. Latson	received	346,408	votes
Joe McLaughlin	received	2,341,744	votes	Frank T. Racirek	received	346,408	votes

## ELECTORS FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES REPUBLICAN PARTY

Jerry Sinclair	received	2,341,744	votes	Richard Murphy	received	1,587,021	votes
Gary J. Lapaille	received	2,341,744	votes	Hazel Watson	received	1,587,021	votes
John F. Daley	received	2,341,744	votes	Thomas E. Corcoran	received	1,587,021	votes
				William O. Stewart	received	1,587,021	votes
				Mark Battista	received	1,587,021	votes
				Patrick Durante	received	1,587,021	votes
				Richard A. Walsh	received	1,587,021	votes
				Robert P. Neal	received	1,587,021	votes
				Nancy H. Froelich	received	1,587,021	votes
				Albert M. Jourdan, Jr.	received	1,587,021	votes
				Shirley Duling	received	1,587,021	votes
				J.C. Pearce	received	1,587,021	votes
				Buster Keellogg, Jr.	received	1,587,021	votes
				Lowell Sickles	received	1,587,021	votes
				George Ryan, Jr.	received	1,587,021	votes
				Dallas Ingemanson	received	1,587,021	votes
				Joseph A. Morris	received	1,587,021	votes
				Harold Engelking	received	1,587,021	votes
				Ronald C. Smith	received	1,587,021	votes
				Jim Battista	received	1,587,021	votes
				Bruce W. Brown	received	1,587,021	votes

George M. Skaritka  
Frank H. Schenrt  
Patry A. Campbell

ELECTORS FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES  
LIBERTARIAN PARTY

Michael Dixon	received	22,548	votes
Robert Franken	received	22,548	votes
Julia Fox	received	22,548	votes
David Fry	received	22,548	votes
Michael Ginsberg	received	22,548	votes
Steven Giovat	received	22,548	votes
David Hoosch	received	22,548	votes
Madeleine Johnston	received	22,548	votes
Robert Johnston	received	22,548	votes
David Kelley	received	22,548	votes
Katherine Kelley	received	22,548	votes
Maggie Kohls	received	22,548	votes
Kati Koenlein	received	22,548	votes
Robin Miller	received	22,548	votes
P. William Muench	received	22,548	votes
Jeanette Muench	received	22,548	votes
Ralph Nixon	received	22,548	votes
David Petersenboom	received	22,548	votes
Andrew Spiegel	received	22,548	votes
James Solomon	received	22,548	votes
Lyn Tinsley	received	22,548	votes
Tim Peterson	received	22,548	votes

ELECTORS FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES  
U. S. TAXPAYERS PARTY

Therese Battaglia	received	7,606	votes
Brian Carlisle	received	7,606	votes
Kent Carlisle	received	7,606	votes
Renata Hayes	received	7,606	votes
Audrey Hessler	received	7,606	votes
Lori Hessler	received	7,606	votes
Chad Kopple	received	7,606	votes
Victor Korzen	received	7,606	votes
Ken Kraeser	received	7,606	votes
William S. Lane	received	7,606	votes
Peter J. Lindstrom	received	7,606	votes
Guadalupe Lynch	received	7,606	votes
Alex Magnus	received	7,606	votes
Greg Morrow	received	7,606	votes
Judy Nicely	received	7,606	votes
Marie Pukul	received	7,606	votes
Peter Rubel	received	7,606	votes
Angela M. Sunables	received	7,606	votes
Nicholas J. Sunables	received	7,606	votes

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, That on the 5th day of November, 1996, as ascertained by an official canvass made in accordance with the laws of the State of Illinois, a copy of the ascertainment of which canvass is hereto attached and made a part hereof, Electors of President and Vice President of the United States were elected and appointed as follows, to-wit:

Addie C. Wyatt	Ruth Jackson
Donald Pedro	Kathryn "Tinker" Harvey
Rose Marie Lipinski	Mary Lou Kearns
Neomi Hernandez	Carolyn Brown Dodge
James DeLo	John Nelson
Joan Brennan	Dave Mybee
Kileen Jackson	Shirley McCombs
James Sheahan	Joe McLaughlin
William Marowitz	Jerry Sinclair
Dan Pierce	Gary J. LaPaille
Marge Friedman	John P. Daley

Issued by the Governor November 25, 1996.  
Filed by the Secretary of State November 25, 1996.

ELECTORS FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES  
NATIONAL LAW PARTY

Craig G. Campbell	received	4,606	votes
Linda Brontstein	received	4,606	votes
Charles Winter	received	4,606	votes
Joan Huening	received	4,606	votes
William Smith	received	4,606	votes
Roger E. Pelkey	received	4,606	votes
Dianne Carter	received	4,606	votes
Jeffrey D. Teper	received	4,606	votes
Margaret Lindquist	received	4,606	votes
Janet T. Kernis	received	4,606	votes
Cathy Topper	received	4,606	votes
June Merle Smith	received	4,606	votes
Dennis B. Riker	received	4,606	votes
James Suarrey	received	4,606	votes
Jeremy Zola Fields	received	4,606	votes
Susan J. Ozienik	received	4,606	votes
Gary R. Malengen	received	4,606	votes
Katherine A. Melia	received	4,606	votes
Peter S. Kimble	received	4,606	votes
Kenneth Birthman	received	4,606	votes
R. Elisabeth Rose	received	4,606	votes
Wesley Lindquist	received	4,606	votes

## 1996 GENERAL ELECTION CANVASS - PRESIDENTIAL ELECTIONS

WHEREAS, On the 5th day of November, 1996, an election was held in the State of Illinois for the election of twenty-two (22) Electors of President and Vice President of the United States.

WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the result thereof, did, on this 25th day of November, 1996, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

## ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES:

Addie C. Wyatt Ruth Jackson  
 Donald Pedro Kathryn "Prink" Harvey  
 Rose Marie Lipinski Mary Lou Kearns  
 Neomi Hernandez Carolyn Brown Ridge  
 James Delevo John Nelson  
 Joan Brennan Dave Bybee  
 Eileen Jackson Shirley McCombs  
 James Sheehan Joe McLaughlin  
 William Marowitz Jerry Sinclair  
 Dan Pierce Gary J. LaPaille  
 Norge Friedman John P. Daley

NOW, THEREFORE, I, JIM EDGAR, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the office as set out above.

Issued by the Governor November 25, 1996.

Filed by the Secretary of State November 25, 1996.

## 1996 GENERAL ELECTION CANVASS - U. S. SENATOR

WHEREAS, On the 5th day of November, 1996, an election was held in the State of Illinois for the election of the following officers, to-wit:

One (1) United States Senator for the full term of six years.  
 WHEREAS, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this 25th day of November, 1996, canvass the same, and as a result of such canvass, did declare elected the following named person to the following named office:

## UNITED STATES SENATOR

Richard J. Durbin

## FIFTH CONGRESSIONAL DISTRICT

Rod R. Blagojevich

## SIXTH CONGRESSIONAL DISTRICT

Henry J. Hyde

## SEVENTH CONGRESSIONAL DISTRICT

Luis V. Gutierrez

elected to the office as set out above.

Issued by the Governor November 25, 1996.  
 Filed by the Secretary of State November 25, 1996.

## 96-626

## 1996 GENERAL ELECTION CANVASS - REPRESENTATIVES IN THE G.A.

WHEREAS, On the 5th day of November, 1996, an election was held in the State of Illinois for the election of the following officers, to-wit:

(Twenty (20)) Representatives in Congress, to-wit: One (1) Representative in Congress from each of the twenty (20) Congressional Districts of the State for the full term of two years.  
 Forty (40) State Senators from the 1st, 4th, 7th, 10th, 13th, 16th, 18th, 21st, 24th, 27th, 30th, 33rd, 36th, 39th, 42nd, 45th, 48th, 51st, and 57th Legislative Districts of the State for the full term of four years; One (1) State Senator from the 50th Legislative District of the State to fill an unexpired term of two years.

One Hundred Eighteen (118) Representatives in the General Assembly, to-wit: One (1) Representative from each of the one hundred eighteen (118) Representative Districts of the State for the full term of two years.  
 Whereas, in pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this 25th day of November, 1996, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices.

REPRESENTATIVES TO REPRESENT THE PEOPLE OF THE STATE OF ILLINOIS  
 IN THE 105TH CONGRESS OF THE UNITED STATES

## FIRST CONGRESSIONAL DISTRICT

Bobby L. Rush

## SECOND CONGRESSIONAL DISTRICT

Jesse L. Jackson, Jr.

## THIRD CONGRESSIONAL DISTRICT

William O. Lipski

## FOURTH CONGRESSIONAL DISTRICT

Luis V. Gutierrez

## FIFTH CONGRESSIONAL DISTRICT

Richard J. Durbin

## SIXTH CONGRESSIONAL DISTRICT

Henry J. Hyde

## SEVENTH CONGRESSIONAL DISTRICT

NOW, THEREFORE, I, JIM EDGAR, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing person duly elected to the office as set out above.

Danny K. Davis

## EIGHTH CONGRESSIONAL DISTRICT

Philip M. Crane

## NINTH CONGRESSIONAL DISTRICT

Sidney R. Yates

## TENTH CONGRESSIONAL DISTRICT

John E. Porter

## ELEVENTH CONGRESSIONAL DISTRICT

Gerald C. "Jerry" Weller

## TWELFTH CONGRESSIONAL DISTRICT

Jerry F. Costello

## THIRTEENTH CONGRESSIONAL DISTRICT

Harry W. Fawell

## FOURTEENTH CONGRESSIONAL DISTRICT

J. Dennis Hastert

## FIFTEENTH CONGRESSIONAL DISTRICT

Thomas W. Evans

## SIXTEENTH CONGRESSIONAL DISTRICT

Donald A. Manzullo

## SEVENTEENTH CONGRESSIONAL DISTRICT

Lane A. Evans

## EIGHTEENTH CONGRESSIONAL DISTRICT

Ray LaHood

## NINETEENTH CONGRESSIONAL DISTRICT

Glenn Poshard

## TWENTIETH CONGRESSIONAL DISTRICT

John M. Shinkus

STATE SENATORS TO REPRESENT THE PEOPLE OF THE STATE OF ILLINOIS  
IN THE 89TH GENERAL ASSEMBLY OF THE STATE

## FIRST LEGISLATIVE DISTRICT

Jesus G. Garcia

## THIRD LEGISLATIVE DISTRICT

Margaret Smith

## FOURTH LEGISLATIVE DISTRICT

Earlean Collins

## SIXTH LEGISLATIVE DISTRICT

John J. Culerton

## SEVENTH LEGISLATIVE DISTRICT

Walter W. Dudyce

## NINTH LEGISLATIVE DISTRICT

Arthur L. Berman

## TENTH LEGISLATIVE DISTRICT

James A. Deleo

## TWELFTH LEGISLATIVE DISTRICT

Robert S. Molaco

## THIRTEENTH LEGISLATIVE DISTRICT

Barack Obama

## FIFTEENTH LEGISLATIVE DISTRICT

William "Bill" Shaw

## SIXTEENTH LEGISLATIVE DISTRICT

Patrick J. O'Malley

## NINETEENTH LEGISLATIVE DISTRICT

Donne E. Trotter

## TWENTY-FIRST LEGISLATIVE DISTRICT

Chris Lauzen

## TWENTY-SECOND LEGISLATIVE DISTRICT

Thomas J. Walsh

## TWENTY-FOURTH LEGISLATIVE DISTRICT

Christine Radogno

## TWENTY-FIFTH LEGISLATIVE DISTRICT

Doris C. Karpel

## TWENTY-SEVENTH LEGISLATIVE DISTRICT

Peter G. Fitzgerald

## TWENTY-EIGHT LEGISLATIVE DISTRICT

Martin J. Butler

## THIRTY-THIRD LEGISLATIVE DISTRICT

Terry Link

## THIRTY-FIRST LEGISLATIVE DISTRICT

Adeline Jay Geo-Karis

THIRTY-THIRD LEGISLATIVE DISTRICT

Steven J. Raucheneberger

THIRTY-FOURTH LEGISLATIVE DISTRICT

Dave Syversen

THIRTY-SIXTH LEGISLATIVE DISTRICT

Denny Jacobs

THIRTY-SEVENTH LEGISLATIVE DISTRICT

Todd Staben

THIRTY-NINTH LEGISLATIVE DISTRICT

Dan Cronin

FOURTY-FIRST LEGISLATIVE DISTRICT

Debbie DeFrancesco Hrovson

FOURTY-SECOND LEGISLATIVE DISTRICT

Edward Petka

FOURTY-THIRD LEGISLATIVE DISTRICT

Tom Dunn

FOURTY-FIFTH LEGISLATIVE DISTRICT

Robert A. Madigan

FOURTY-SIXTH LEGISLATIVE DISTRICT

George P. Shmid

FOURTY-EIGHTH LEGISLATIVE DISTRICT

Laura Kent Donahue

FOURTY-NINTH LEGISLATIVE DISTRICT

Vince Denizio

FIFTY-FIRST LEGISLATIVE DISTRICT

Larry K. Bonke

FIFTY-FIRST LEGISLATIVE DISTRICT

Penny Stevens

FIFTY-SECOND LEGISLATIVE DISTRICT

Stanley B. Weaver

FIFTY-FOURTH LEGISLATIVE DISTRICT

William L. O'Daniel

FIFTY-FIFTH LEGISLATIVE DISTRICT

Frank Watson

FIFTH-SEVENTH LEGISLATIVE DISTRICT

James F. Clayborne, Jr., II

FIFTY-EIGHT LEGISLATIVE DISTRICT

David Luechtefeld

REPRESENTATIVES TO REPRESENT THE PEOPLE OF THE STATE OF ILLINOIS

IN THE EIGHTY GENERAL ASSEMBLY OF THE STATE OF ILLINOIS

FIRST REPRESENTATIVE DISTRICT

Sonia Silva

SECOND REPRESENTATIVE DISTRICT

Edward Acevedo

THIRD REPRESENTATIVE DISTRICT

Miguel A. Santago

FOURTH REPRESENTATIVE DISTRICT

Edgar Lopez

FIFTH REPRESENTATIVE DISTRICT

Lovana S. "Lou" Jones

SIXTH REPRESENTATIVE DISTRICT

Shirley M. Jones

SEVENTH REPRESENTATIVE DISTRICT

Eugene "Gene" Moore

EIGHTH REPRESENTATIVE DISTRICT

Calvin L. Giles

NINTH REPRESENTATIVE DISTRICT

Arthur L. Turner

TENTH REPRESENTATIVE DISTRICT

Coy Pugh

ELEVENTH REPRESENTATIVE DISTRICT

Judy Ervin

TWELFTH REPRESENTATIVE DISTRICT

Sara Feigenholtz

THIRTEENTH REPRESENTATIVE DISTRICT

Ralph C. Caparelli

FOURTEENTH REPRESENTATIVE DISTRICT

Michael P. McAuliffe

FIFTEENTH REPRESENTATIVE DISTRICT

Franck Watson

Joseph M. Lyons

SIXTEENTH REPRESENTATIVE DISTRICT

Louis I. Lang

SEVENTEENTH REPRESENTATIVE DISTRICT

Carol Ronen

EIGHTEENTH REPRESENTATIVE DISTRICT

Janice D. (Jan) Schakowsky

NINETEENTH REPRESENTATIVE DISTRICT

Robert J. Bugleissi

TWENTIETH REPRESENTATIVE DISTRICT

Joseph S. Kovarz, Jr.

TWENTY-FIRST REPRESENTATIVE DISTRICT

Mary E. Flowers

TWENTY-SECOND REPRESENTATIVE DISTRICT

Michael J. Madigan

TWENTY-THIRD REPRESENTATIVE DISTRICT

Daniel J. Burke

TWENTY-FOURTH REPRESENTATIVE DISTRICT

Howard Kerner

TWENTY-FIFTH REPRESENTATIVE DISTRICT

Barbara Flynn Currie

TWENTY-SIXTH REPRESENTATIVE DISTRICT

Charles G. Morton, III

TWENTY-SEVENTH REPRESENTATIVE DISTRICT

Monique D. Davis

TWENTY-EIGHTH REPRESENTATIVE DISTRICT

Thomas J. Dart

TWENTY-NINTH REPRESENTATIVE DISTRICT

Aline M. Fanin

THIRTY-FIRST REPRESENTATIVE DISTRICT

Harold Murphy

THIRTY-FIRST REPRESENTATIVE DISTRICT

Todd H. Stroger

THIRTY-SECOND REPRESENTATIVE DISTRICT

Constance A. Howard

THIRTY-THIRD REPRESENTATIVE DISTRICT

John A. Fitchey

THIRTY-FOURTH REPRESENTATIVE DISTRICT

Larry McLean

THIRTY-FIFTH REPRESENTATIVE DISTRICT

M. Maggie Crotty

THIRTY-SIXTH REPRESENTATIVE DISTRICT

James D. "Jim" Escanahan

THIRTY-SEVENTH REPRESENTATIVE DISTRICT

Kevin A. McCarthy

THIRTY-EIGHTH REPRESENTATIVE DISTRICT

Renee Rose

THIRTY-NINTH REPRESENTATIVE DISTRICT

Vincent A. Persico

FOURTIETH REPRESENTATIVE DISTRICT

Peter Rosman

FOURTY-FIRST REPRESENTATIVE DISTRICT

Mary Lou Cowlishaw

FOURTY-SECOND REPRESENTATIVE DISTRICT

Suzanne L. Deuchler

FOURTY-THIRD REPRESENTATIVE DISTRICT

Jack L. Kubik

FOURTY-FOURTH REPRESENTATIVE DISTRICT

James B. Darkin

FOURTY-FIFTH REPRESENTATIVE DISTRICT

Kathleen L. "Kay" Wójcik

FOURTY-SIXTH REPRESENTATIVE DISTRICT

Lee A. Daniels

FOURTY-SEVENTH REPRESENTATIVE DISTRICT

Eileen Lyons

FOURTY-EIGHTH REPRESENTATIVE DISTRICT

Anne Zichus

FOURTY-NINTH REPRESENTATIVE DISTRICT

Carole Parkau

## FIFTIETH REPRESENTATIVE DISTRICT

Thomas L. Johnson

## FIFTY-FIRST REPRESENTATIVE DISTRICT

Verna L. Clayton

## FIFTY-SECOND REPRESENTATIVE DISTRICT

Mark H. Beaubien, Jr.

## FIFTY-THIRD REPRESENTATIVE DISTRICT

Terry Parke

## FIFTY-FOURTH REPRESENTATIVE DISTRICT

Bernard E. Pedersen

## FIFTY-FIFTH REPRESENTATIVE DISTRICT

Rosemary Mulligan

## FIFTY-SIXTH REPRESENTATIVE DISTRICT

Carolyn H. Krause

## FIFTY-SEVENTH REPRESENTATIVE DISTRICT

Elizabeth Coulson

## FIFTY-EIGHTH REPRESENTATIVE DISTRICT

Jeffrey M. Schoenberg

## FIFTY-NINTH REPRESENTATIVE DISTRICT

Corinne G. Wood

## SIXTYEIGHTH REPRESENTATIVE DISTRICT

Lauren Beth Gash

## SIXTY-FIRST REPRESENTATIVE DISTRICT

Andrea S. Moore

## SIXTY-SECOND REPRESENTATIVE DISTRICT

Robert W. Churchill

## SIXTY-THIRD REPRESENTATIVE DISTRICT

Ann Hughes

## SIXTY-FOURTH REPRESENTATIVE DISTRICT

Cal Skinner, Jr.

## SIXTY-FIFTH REPRESENTATIVE DISTRICT

Patricia Reid Lindner

## SIXTY-SIXTH REPRESENTATIVE DISTRICT

Douglas L. Hoefft

## SIXTY-SEVENTH REPRESENTATIVE DISTRICT

Tom Cross

## SIXTY-EIGHTH REPRESENTATIVE DISTRICT

Douglas F. Scott

## SIXTY-NINTH REPRESENTATIVE DISTRICT

Ronald A. Wait

## DAVE WINTERS

## SEVENTYEIGHTH REPRESENTATIVE DISTRICT

David Wirsing

## SEVENTY-FIRST REPRESENTATIVE DISTRICT

Michael J. Boland

## SEVENTY-SECOND REPRESENTATIVE DISTRICT

Joe E. Brinsford

## SEVENTY-SECOND REPRESENTATIVE DISTRICT

David Wirsing

## SEVENTY-THIRD REPRESENTATIVE DISTRICT

Gerald L. "Jerry" Mitchell

## SEVENTY-FOURTH REPRESENTATIVE DISTRICT

I. Ronald Lawfer

## SEVENTY-FIFTH REPRESENTATIVE DISTRICT

Mary R. O'Brien

## SEVENTY-SIXTH REPRESENTATIVE DISTRICT

Frank J. Matrano

## SEVENTY-SEVENTH REPRESENTATIVE DISTRICT

Angelo "Skip" Sariano

## SEVENTY-EIGHTH REPRESENTATIVE DISTRICT

Bob Biggins

## SEVENTYNINTH REPRESENTATIVE DISTRICT

Michael Giglio

## EIGHTYEIGHTH REPRESENTATIVE DISTRICT

George F. Scully, Jr.

## EIGHTY-FIRST REPRESENTATIVE DISTRICT

Judy Biggett

## EIGHTY-SECOND REPRESENTATIVE DISTRICT

James H. "Jim" Mayer

## EIGHTY-THIRD REPRESENTATIVE DISTRICT

Brent Bassett

## EIGHTY-FOURTH REPRESENTATIVE DISTRICT

Tom Cross

EIGHTY-EIGHTH REPRESENTATIVE DISTRICT John "Phil" Novak	ONE HUNDRED AND SECOND REPRESENTATIVE DISTRICT N. Duane Noland
EIGHTY-SIXTH REPRESENTATIVE DISTRICT Jack McGuire	ONE HUNDRED AND THIRD REPRESENTATIVE DISTRICT Richard J. (Rick) Winkel Jr.
EIGHTY-SEVENTH REPRESENTATIVE DISTRICT Dan Rutherford	ONE HUNDRED AND FOURTH REPRESENTATIVE DISTRICT Timothy V. Johnson
EIGHTY-EIGHTH REPRESENTATIVE DISTRICT Bill Brady	ONE HUNDRED AND FIFTH REPRESENTATIVE DISTRICT William B. "Bill" Black
EIGHTY-NINTH REPRESENTATIVE DISTRICT Jay Ackerman	ONE HUNDRED AND SIXTH REPRESENTATIVE DISTRICT Michael (Mike) Weaver
NINETYEETH REPRESENTATIVE DISTRICT John Turner	ONE HUNDRED AND SEVENTH REPRESENTATIVE DISTRICT John O. Jones
NINETY-FIRST REPRESENTATIVE DISTRICT Michael K. Smith	ONE HUNDRED AND EIGHTH REPRESENTATIVE DISTRICT Charles A. "Chuck" Harke
NINETY-SECOND REPRESENTATIVE DISTRICT Ricca C. Sloane	ONE HUNDRED AND NINTH REPRESENTATIVE DISTRICT Kurt M. Granberg
NINETY-THIRD REPRESENTATIVE DISTRICT David R. Leitch	ONE HUNDRED AND TENTH REPRESENTATIVE DISTRICT Ron Stephens
NINETY-FOURTH REPRESENTATIVE DISTRICT Donald L. Moffitt	ONE HUNDRED AND ELEVENTH REPRESENTATIVE DISTRICT Steve Davis
NINETY-FIFTH REPRESENTATIVE DISTRICT Richard P. Myers	ONE HUNDRED AND TWELFTH REPRESENTATIVE DISTRICT Glen E. Bradford
NINETY-SIXTH REPRESENTATIVE DISTRICT Art Tenhouse	ONE HUNDRED AND THIRTEENTH REPRESENTATIVE DISTRICT Thomas Holbrook
NINETY-SEVENTH REPRESENTATIVE DISTRICT Tom Ryder	ONE HUNDRED AND FOURTEENTH REPRESENTATIVE DISTRICT Wyett H. Tongue
NINETY-EIGHTH REPRESENTATIVE DISTRICT Gary Hammig	ONE HUNDRED AND FIFTEENTH REPRESENTATIVE DISTRICT Mike Best
NINETY-NINTH REPRESENTATIVE DISTRICT Raymond Poe	ONE HUNDRED AND SIXTEENTH REPRESENTATIVE DISTRICT Terry W. Dearing
ONE HUNDREDTH REPRESENTATIVE DISTRICT Gwen Kingler	ONE HUNDRED AND SEVENTEENTH REPRESENTATIVE DISTRICT Larry Woodard
ONE HUNDRED AND FIRST REPRESENTATIVE DISTRICT Julie A. Curry	ONE HUNDRED AND EIGHTEENTH REPRESENTATIVE DISTRICT David D. Phelps

NOW, THEREFORE, I, JIM EGAR, Governor of the State of Illinois, in

conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

Issued by the Governor November 25, 1996.

Filed by the Secretary of State November 25, 1996.

#### 1996 GENERAL ELECTION CANVASS - JUDGES

Whereas, On the 5th day of November, 1996, an election was held in the State of Illinois for the election of the following judges, to-wit:

Appellate Court Judges to fill the vacancy of the Honorable Blanche M. Manning, to fill the vacancy of the Honorable Carl McCormick, to fill the vacancy of the Honorable Anthony Scariano, First Judicial District; to fill the vacancy of the Honorable Alan L. Stonder, Third Judicial District; to fill the vacancy of the Honorable Carl A. Lund, Fourth Judicial District.

Judges of the Circuit Court, Cook County Judicial Circuit, to fill the vacancy of the Honorable Earl Atkins, to fill the vacancy of the Honorable Martin C. Ashman, to fill the vacancy of the Honorable Walter B. Bieschke, to fill the vacancy of the Honorable Anthony John Bosco, to fill the vacancy of the Honorable Thomas P. Casley, to fill the vacancy of the Honorable Harry G. Conferford, to fill the vacancy of the Honorable John W. Crilly, to fill the vacancy of the Honorable Thomas E. Hoffman, to fill the vacancy of the Honorable Walter J. Kowalski, to fill the vacancy of the Honorable Gerald L. Sbarro, to fill the vacancy of the Honorable Jack G. Stein, to fill the vacancy of the Honorable Mary Jane Wendt-Theis, to fill the vacancy of the Honorable James A. Zafarotto.

Judges of the Circuit Court, Cook County Judicial Circuit, to fill additional judgehip A, to fill additional judgehip B, to fill additional judgehip C, to fill additional judgehip D, to fill additional judgehip E, to fill additional judgehip F, to fill additional judgehip G, to fill additional judgehip H, to fill additional judgehip I, to fill additional judgehip J, to fill additional judgehip K, to fill additional judgehip L, to fill additional judgehip M, to fill additional judgehip N, to fill additional judgehip O, to fill additional judgehip P, to fill additional judgehip Q, to fill additional judgehip R, to fill additional judgehip S, to fill additional judgehip T, to fill additional judgehip U, to fill additional judgehip V, to fill additional judgehip W, to fill additional judgehip X, to fill additional judgehip Y, to fill additional judgehip Z.

Judges C, First Subcircuit, to fill additional judgehip A, to fill additional judgehip B, Second Subcircuit, to fill additional judgehip A, to fill additional judgehip B, to fill additional judgehip C, Fifth Subcircuit, to fill additional judgehip A, to fill additional judgehip B, Sixth Subcircuit, to fill additional judgehip A, to fill additional judgehip B, Seventh Subcircuit, to fill additional judgehip A, to fill additional judgehip B, to fill additional judgehip C, Eighth Subcircuit, to fill additional judgehip A, to fill additional judgehip B, to fill additional judgehip C, Ninth Subcircuit, to fill additional judgehip A, to fill additional judgehip B, Tenth Subcircuit, to fill additional judgehip A, to fill additional judgehip B, Eleventh Subcircuit, to fill additional judgehip A, to fill additional judgehip B, Twelfth Subcircuit, to fill additional judgehip C, Thirteenth Subcircuit, to fill additional judgehip A, to fill additional judgehip B, to fill additional judgehip C, Fourteenth Subcircuit, to fill additional judgehip A, to fill additional judgehip B, Fifteenth Subcircuit.

Judges of the Circuit Court, to fill the vacancy of the Honorable William A. Lewis, to fill the vacancy of the Honorable Snyder Bowell Williamson County, First Judicial Circuit; to fill the vacancy of the Honorable Terence J. Hopkins, to fill the vacancy of the Honorable Donald E. Garrison, Wayne

County, Second Judicial Circuit; to fill the vacancy of the Honorable Paul E. Riley, Madison County, Third Judicial Circuit, to fill the vacancy of the Honorable William R. Todd, Clay County, to fill the vacancy of the Honorable William D. Kelly, Fayette County, Fourth Judicial Circuit, to fill the Honorable Judgehip A, Fifth Judicial Circuit, to fill the vacancy of the Honorable Harold L. Jensen, to fill the vacancy of the Honorable Robert J. Skigran, to fill additional Judgehip A, to fill additional Judgehip A, to fill the vacancy of the Honorable Richard J. Cadigan, Sangamon County, Seventh Judicial Circuit, to fill the vacancy of the Honorable Robert W. Cook, Adams County, to fill the vacancy of the Honorable Alfred L. Penman, Calumet County, Eighth Judicial Circuit, to fill the vacancy of the Honorable William E. Holdridge, to fill the vacancy of the Honorable Scott T. Lukens, Warren County, Ninth Judicial Circuit, to fill the vacancy of the Honorable William F. Caisley, to fill additional Judgehip A, Eleventh Judicial Circuit, to fill the vacancy of the Honorable Edward F. Masters, to fill the vacancy of the Honorable Angelo F. Pisilli, Will County, to fill the vacancy of the Honorable Patrick A. Schneidet, Will County Twelfth Judicial Circuit, to fill the vacancy of the Honorable C. Howard Rampley, Thirteenth Judicial Circuit, to fill the vacancy of the Honorable Clarence A. Barrow, to fill the vacancy of the Honorable Edward Keefe, Rock Island County, Fourteenth Judicial Circuit, to fill the vacancy of the Honorable Thomas E. Hornsby, Lee County, to fill the vacancy of the Honorable Dennis Riley, Ogle County, Fifteenth Judicial Circuit, to fill the vacancy of the Honorable Michael F. O'Brien, to fill additional Judgehip A, to fill additional Judgehip B, Sixteenth Judicial Circuit, to fill the vacancy of the Honorable John W. Nielsen, to fill the vacancy of David A. Englund, Boone County, Seventeenth Judicial Circuit, to fill the vacancy of the Honorable Edward W. Roal, to fill the vacancy of the Honorable John J. Nilangan, to fill the vacancy of the Honorable S. Louis Rathje, to fill the vacancy of the Honorable Bob Thomas, to fill additional Judgehip A, to fill the vacancy of the Honorable William E. Black, DuPage County, Eighteenth Judicial Circuit, to fill additional Judgehip A, to fill additional Judgehip B, to fill the vacancy of the Honorable Harry L. Cowlin, to fill the vacancy of the Honorable Susan Fayette Hutchison McHenry County, Nineteenth Judicial Circuit, to fill the vacancy of the Honorable James K. Donohue, to fill the vacancy of the Honorable Robert W. Gandy, Parry County, Twentieth Judicial Circuit, to fill additional Judgehip A, to fill the vacancy of Robert L. Bamelle, Iroquois County, to fill the vacancy of the Honorable Patrick M. Burns, Iroquois County, Twenty-first Judicial Circuit.

Warrants, in pursuance of Law, the state board of elections appointed to canvass the returns of such election, and to declare the results thereof, did, on this the 25th day of November, 1996, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

#### APPELLATE COURT JUDGES

#### FIRST JUDICIAL DISTRICT

(To fill the vacancy of the Honorable Blanche M. Manning)  
Patrick J. Quinn

- ( To fill the vacancy of the Honorable Carl McCormick )      Anne Marie Burke  
 (To fill the vacancy of the Honorable Anthony Scariano)      Barbara Ann McDonald
- (To fill the vacancy of the Honorable Leslie Elaine South)      Leslie Elaine South
- THIRD JUDICIAL DISTRICT  
 (To fill the vacancy of the Honorable Allan L. Stouder)      Thomas J. Homer
- FOURTH JUDICIAL DISTRICT  
 (To fill the vacancy of the Honorable Carl A. Lund)      Rita B. Garman
- JUDGES OF THE CIRCUIT COURT  
 COOK COUNTY JUDICIAL CIRCUIT  
 (To fill the vacancy of the Honorable Earl Arkiss)      Gay-Lloyd Lott
- (To fill the vacancy of the Honorable Martin C. Ashman)      Sebastian Thomas Patti
- (To fill the vacancy of the Honorable Walter B. Biesschke)      Kathleen Marie McCurdy
- (To fill the vacancy of the Honorable Anthony John Bosco)      James P. O'Malley
- (To fill the vacancy of the Honorable Thomas P. Cawley)      Diane Gordon Cannon
- (To fill the vacancy of the Honorable Harry G. Comerford)      Lynn Marie Egan
- (To fill the vacancy of the Honorable John W. Crilly)      Carol Pearce McCarthy
- (To fill the vacancy of the Honorable Thomas E. Hoffman)      Shelley Lynn Butker-Demmer
- (To fill the vacancy of the Honorable Walter J. Kowalski)      Mary Ellen Coghlan
- ( To fill the vacancy of the Honorable Gerald L. Sharboro )      Charles M. Travis  
 (To fill the vacancy of the Honorable Jack G. Stein)      Michele Franzen Lowrance
- (To fill the vacancy of the Honorable Mary Jane Wendt Theis)      Evelyn B. Clay

- (To fill the vacancy of the Honorable James A. Zafiratos )  
 Barbara Ann McDonald
- FIRST SUBCIRCUIT  
 (To fill additional judgeship A)  
 Sharon Johnson Coleman  
 (To fill additional judgeship B)  
 Wilbur E. Crooks
- (To fill additional judgeship C)  
 Vanessa A. Hopkins
- SECOND SUBCIRCUIT  
 (To fill additional judgeship A)  
 James L. Rhodes  
 (To fill additional judgeship B)  
 Marjorie C. Laws
- THIRD SUBCIRCUIT  
 (To fill additional judgeship A)  
 Daniel P. Darcy  
 (To fill additional judgeship B)  
 David Riley Bommersberger  
 (To fill additional judgeship C)  
 Kenneth J. Wadas
- FOURTH SUBCIRCUIT  
 (To fill additional judgeship A)  
 James J. Gavin  
 (To fill additional judgeship B)  
 James Gerard Riley  
 (To fill additional judgeship C)  
 Mary A. Mulhearn
- FIFTH SUBCIRCUIT  
 (To fill additional judgeship A)  
 Jane Louise Stuart  
 (To fill additional judgeship B)  
 Rickey Jones  
 (To fill additional judgeship C)  
 Shelli D. Williams
- SIXTH SUBCIRCUIT

(To fill additional judgeship A)

James J. Jozak

(To fill additional judgeship B)

Edmund Force de Leon

SEVENTH SUBCIRCUIT

(To fill additional judgeship A)

Patricia M. Martin

(To fill additional judgeship B)

Cheryl A. Hilliard

EIGHTH SUBCIRCUIT

(To fill additional judgeship A)

Nancy Drew Sheehan

(To fill additional judgeship B)

Candace Jean Fabi

NINETH SUBCIRCUIT

(To fill additional judgeship A)

Judith N. Conn

(To fill additional judgeship C)

John J. (Jack) Fleming

(To fill additional judgeship A)

Gregory Joseph Wojcowski

(To fill additional judgeship B)

Andrew Berman

(To fill additional judgeship C)

Gerald C. Bender

TENTH SUBCIRCUIT

(To fill additional judgeship A)

Donald Joseph Suriano

(To fill additional judgeship B)

Barbara Ann Riley

ELEVENTH SUBCIRCUIT

(To fill additional judgeship A)

Kathleen G. Kennedy

(To fill additional judgeship B)

Donald M. Devlin

(To fill additional judgeship B)

Veronica B. Mattheis

THIRTEENTH SUBCIRCUIT

(To fill additional judgeship A)

James T. Ryan

(To fill additional judgeship B)

Edward W. Pietrucha

(To fill additional judgeship C)

Clayton Jay Crane

FOURTEENTH SUBCIRCUIT

(To fill additional judgeship A)

William G. Lacy

(To fill additional judgeship B)

Adrienne M. Geary

(To fill additional judgeship C)

Rodolfo "Rudy" Garcia

(To fill additional judgeship B)

David P. Sterba

(To fill additional judgeship C)

Bruce D. Stewart

WILLIAMSON COUNTY

(To fill the vacancy of the Honorable Snyder Howell)

Phillip Palmer

(To fill the vacancy of the Honorable Terence J. Hopkins)

Joe Harrison

WAYNE COUNTY

(To fill the vacancy of the Honorable Donald E. Garrison)

E. Kyle VanTreasne

WYOMING COUNTY

(To fill the vacancy of the Honorable Paul E. Riley)

Larry Rehner

CLAY COUNTY

FOURTH JUDICIAL CIRCUIT

TRID JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Donald E. Garrison)

Larry Rehner

FOURTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable William R. Todd)

Patrick L. Duke

FAVETTE COUNTY

(To fill the vacancy of the Honorable William D. Kelly)

Gene Schwarm

FIFTH JUDICIAL CIRCUIT

(To fill additional judgeship A)

Dale A. Cini

SIXTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Harold L. Jensen)

Arnold F. Blockman

CHAMPAIGN COUNTY

(To fill additional judgeship A)

Thomas J. Diffanis

SEVENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Richard J. Cadagin)

Bob Boggs

EIGHTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Robert W. Cook)

Scott Walden

CAIRNH COUNTY

(To fill the vacancy of the Honorable Alfred L. Pezman)

Richard "Dennis" Grenier

NINTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable William E. Holdridge)

James B. Stewart

WARREN COUNTY

(To fill the vacancy of the Honorable Scott I. Klukos)

Ronald C. Tenold

TENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable William T. Caisley)

G. Michael Prall

ELEVENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable William N. Nielsen)

Michael R. Morrison

BOONE COUNTY

(To fill the vacancy of the Honorable David A. Englund)

Donald D. Bernardi

TWELFTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Edward F. Masters)

Gerald R. "Jerry" Kinney

WILL COUNTY

(To fill the vacancy of the Honorable Angelo F. Pistilli)

Amy M. Bertani

WILL COUNTY

(To fill the vacancy of the Honorable Patricia A. Schneider)

Stephen D. White

THIRTEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Clarence A. Darrow)

Ron Taber

BUREAU COUNTY

(To fill the vacancy of the Honorable C. Howard Wampler)

James J. Wimbicus

ROCK ISLAND COUNTY

(To fill the vacancy of the Honorable Edward Keeffe)

Charles "Casey" Stengel

FOURTEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Clarence A. Darrow)

David T. Friths

FIFTEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Thomas E. Hornsby)

John B. Roe

OGLE COUNTY

(To fill the vacancy of the Honorable Dennis Riley)

John B. Roe

SIXTEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Michael F. O'Brien)

F. Keith Brown

SEVENTEENTH JUDICIAL CIRCUIT

(To fill the additional judgeship A)

Timothy Q. Sheldon

(To fill additional judgeship B)

Thomas B. Hogan

(To fill additional judgeship C)

Michael R. Morrison

(To fill the vacancy of the Honorable John W. Nielsen)

Gerald F. Grubb

(To fill the vacancy of the Honorable Edward W. Kowal)  
Kenneth Moy

(To fill the vacancy of the Honorable John J. Neilligan)  
Perry R. Thompson

(To fill the vacancy of the Honorable S. Louis Rathje)  
Edward R. "Ted" Duncan, Jr.  
(To fill the vacancy of the Honorable John S. Teschner)  
Hollis "Holly" Webster

(To fill the vacancy of the Honorable Bob Thomas)  
Thomas E. Callum  
(To fill additional judgeship A)  
George J. Bakalis

DUPAGE COUNTY  
(To fill the vacancy of the Honorable William E. Black)  
Robert J. Anderson

NINETEENTH JUDICIAL CIRCUIT  
(To fill additional judgeship A)  
Jane Drew Waller

(To fill additional judgeship B)  
Thomas A. Schermethorn

MCHENRY COUNTY  
(To fill the vacancy of the Honorable Henry L. Cowlin)  
Sharon L. Prather

MCHENRY COUNTY  
(To fill the vacancy of the Honorable Susan Fayette Hutchinson)  
Ward S. Arnold

TWENTIETH JUDICIAL CIRCUIT  
(To fill the vacancy of the Honorable James K. Donovan)  
Clyde L. Klein

PERRY COUNTY  
(To fill the vacancy of the Honorable Robert N. Gandy)  
James W. Campanella

TWENTY-FIRST JUDICIAL CIRCUIT  
(To fill additional judgeship A)  
Clark Erickson

IROQUOIS COUNTY

(To fill the vacancy of the Honorable Robert L. Damnehel)  
Gordon L. Tastfeld

KANKAKEE COUNTY

(To fill the vacancy of the Honorable Patrick M. Burns)  
J. Gregory Rohseler

NOW, THEREFORE, I, JIM EDGAR, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.  
Issued by the Governor November 25, 1996.  
Filed by the Secretary of State November 25, 1996.

96-628

1996 GENERAL ELECTION CANVASS -

JUDGES REPAIRED IN OFFICE

WHEREAS, On the 5th day of November, 1996, an election was held in the State of Illinois for the retention of the following judges, to-wit:  
Appellate Court Judge from the Fourth Judicial District; Third, Sixth, Seventh, Eighth, Ninth, Tenth, Twelfth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, and Cook County Judicial Circuits.  
WHEREAS, in pursuance of law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did on the 25th day of November, 1996, canvass the same, and as a result of such canvass, did declare retained the following named persons to the following named offices:

REPRESENTATION

JUDGE OF THE APPELLATE COURT  
FOURTH JUDICIAL DISTRICT  
James A. Knuehl

JUDGES OF THE CIRCUIT COURT  
FIRST JUDICIAL CIRCUIT  
George Oros  
Michael J. Henshaw  
James R. "Jim" Williamson  
Stephen L. Sporer  
Paul S. Murphy

SECOND JUDICIAL CIRCUIT  
Don A. Foster  
Loren P. (Larry) Lewis  
David L. Underwood

THIRD JUDICIAL CIRCUIT  
Nicholas G. Bycon

Edward C. Ferguson  
Philip J. Kardis

FOURTH JUDICIAL CIRCUIT  
Michael R. Weber  
Steven Paul Seymour

FIFTH JUDICIAL CIRCUIT  
Ashton C. Waller, Jr.  
Robert B. Cochour  
Tracy Reisch

SIXTH JUDICIAL CIRCUIT  
Frank W. Lincoln  
John G. Townsend

EIGHTH JUDICIAL CIRCUIT  
Michael L. Pirrello

NINETEENTH JUDICIAL CIRCUIT  
Bernard E. Drew, Jr.  
Fred A. Geiger  
Charles F. Scott

Ronald L. Galluzzo  
Michael R. Galasso  
Stephen E. Walter

SEVENTH JUDICIAL CIRCUIT  
J. David Bone  
Ronald F. Robinson

Thomas P. Caemdy  
James W. Day  
Sue E. Myerscough  
Thomas G. Russell

EIGHT JUDICIAL CIRCUIT  
Fred W. Reither  
Robert L. Welch

Dennis K. Cashman  
Michael R. Roseberry  
Mark A. Schuerling

EIGHTH JUDICIAL CIRCUIT  
Donald C. Coulson  
Robert J. Cashman  
Richard E. Graveway

Mark A. Schuerling  
Scott A. Shore

FOURTEENTH JUDICIAL CIRCUIT  
Herman S. Raase

FIFTEENTH JUDICIAL CIRCUIT  
Joseph F. Beatty  
Dan A. Dunigan

SIXTEENTH JUDICIAL CIRCUIT  
Patrick J. Dixon  
Michael J. Colwell

William L. Nottolini  
Gene L. Nottolini  
Loretta Carol Douglas  
James Patrick Flannery, Jr.

John W. Countryman  
Douglas R. Engel  
Grant S. Wagner

SEVENTEENTH JUDICIAL CIRCUIT  
Ronald J. Sullivan

EIGHTEENTH JUDICIAL CIRCUIT  
Michael R. Galluzzo  
Stephen M. Keenan  
Dennis J. Jacobsen  
Jerome F. Lopinot  
Michael J. O'Malley

NINETEENTH JUDICIAL CIRCUIT  
Harold W. Sullivan  
David Cerda

Anthony S. Montalione  
Peter Bakkes  
Francis W. Glowacki  
Leonard R. Grazian  
James J. Heyda  
Donald P. O'Connell  
Willie Whiting

COOK COUNTY JUDICIAL CIRCUIT  
James J. Houlihan  
John N. Houlihan  
Guynn J. Elliott, Jr.  
Robert V. Bohrnic

Henry A. Budzinski  
Thomas E. Flanagan  
Michael Jordan  
Daniel J. Kelley  
Leonard L. Levin  
Daniel J. Lynch

WILLIAM P. BRENDGAST  
Michael P. Zomin  
Richard J. Birnd  
Michael J. Gallagher  
Thomas P. Durkin  
Thomas Karnesis  
Philip L. Bronstein

Margaret Stanton McBride  
Judy I. Mitchell-Davis

NOW, THEREFORE, I, JIM EDGAR, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly retained to the offices as set out above.

Issued by the Governor November 25, 1996.

Filed by the Secretary of State November 25, 1996.

96-529

1996 GENERAL ELECTION CANVASS - TRUSTEES OF THE  
PRAIRIE DUPONT LEVEE AND SANITARY DISTRICT

WHEREAS, on the 5th day of November, 1996, an election was held in the State of Illinois for the election of the following officers to-wit:

Five (5) Trustees of the Prairie Dupont Levee and Sanitary District.

WHEREAS, in pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 25th day of November, 1996 canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named office:

TRUSTEES OF THE PRAIRIE DUPONT LEVEE AND SANITARY DISTRICT

Julie G. Levin

Michael E. Sullivan

David Walster

Steven Fouch

Lawrence (Jack) Nothen

NOW, THEREFORE, I, JIM EDGAR, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the office as set out above.

Issued by the Governor November 25, 1996.

Filed by the Secretary of State November 25, 1996.

ILLINOIS REGISTER  
ADMINISTRATIVE CODE ORDER FORM

PLEASE USE THIS FORM FOR ALL ORDERS OR TO NOTIFY US OF A CHANGE OF ADDRESS. ALL ORDERS MUST BE PAID IN ADVANCE BY CHECK, MONEY ORDER, VISA OR DISCOVER CARD. CHECKS AND MONEY ORDERS MUST BE PAYABLE TO THE "SECRETARY OF STATE".

MICROFICHE SETS OF THE ILLINOIS REGISTER @ \$200.00 PER SET.

1977-1978 1979 1980 1981 1982 1983 1984 1985 1986  
1987 1988 1989 1990 1991 1992 1993 1994 1995

CUMULATIVE INDICES TO THE ILLINOIS REGISTER @ \$1.00 EACH.

1981 1982 1983 1984 1985 1986 1987 1988 1989

SECTIONS AFFECTED INDICES TO THE ILLINOIS REGISTER @ \$1.00 EACH.

1984 1985 1986 1987 1988 1989

CUMULATIVE/SECTIONS AFFECTED INDICES @ \$5.00 EACH.

1990 1991 1992 1993 1994 1995

BACK ISSUES OF THE ILLINOIS REGISTER (CURRENT YEAR ONLY) @ \$10.00 EACH.

(VOLUME #) (ISSUE #) (ISSUE DATE)

ANNUAL SUBSCRIPTION TO THE ILLINOIS REGISTER @ \$290.00 (52 ISSUES)

NEW RENEWAL

ANNUAL SUBSCRIPTION AND SUPPLEMENT TO THE ILLINOIS ADMINISTRATIVE CODE; PUBLISHED QUARTERLY @ \$290.00

1996 CODE & 2 SUPPLEMENTS QUANTITY

TOTAL AMOUNT OF ORDER: \$                   
CHECK VISA DISCOVER CARD #:                 

EXPIRATION DATE:                  SIGNATURE:                   
(IF CHANGE OF ADDRESS, PLEASE LIST BOTH THE OLD AND NEW ADDRESS:

(NAME, PLEASE TYPE OR PRINT)

(ADDRESS)

(CITY, STATE, ZIP CODE AND TELEPHONE #)

MAIL TO:

GEORGE H. RYAN  
SECRETARY OF STATE  
INDEX DEPARTMENT  
111 E. MONROE  
SPRINGFIELD, IL 62756

11



17